

















John T H Read



John C. Smith













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THE  
HISTORY OF ENGLAND,  
FROM  
THE INVASION OF JULIUS CÆSAR,  
TO  
THE REVOLUTION, IN 1688.

IN FOUR VOLUMES.

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BY DAVID HUME, ESQ.

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A NEW EDITION,  
WITH THE AUTHOR'S LAST CORRECTIONS AND IMPROVEMENTS.

TO WHICH IS PREFIXED,  
A SHORT ACCOUNT OF HIS LIFE,  
WRITTEN BY HIMSELF.

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VOL. II.

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## CHAPTER XVII.

### RICHARD II.

Government during the Minority—Insurrection of the common People—Discontents of the Barons—Civil Commotions—Expulsion or execution of the King's Ministers—Cabals of the duke of Gloucester—Murder of the duke of Gloucester—Banishment of Henry, duke of Hereford—Return of Henry—General Insurrection—Deposition of the King—His Murder—His Character—Miscellaneous Transactions during this reign.

THE parliament, which was summoned soon after the king's accession, was both elected and assembled in tranquillity; and the great change, from a sovereign of consummate wisdom and experience, to a boy of eleven years of age, was not immediately felt by the people. The habits of order and obedience which the barons had been taught, during the long reign of Edward, still influenced them; and the authority of the king's three uncles, the dukes of Lancaster, York, and Gloucester, sufficed to repress, for a time, the turbulent spirit to which that order, in a weak reign, was so often subject. The dangerous ambition, too, of these princes themselves, was checked by the plain and undeniable title of Richard, by the declaration of it made in parliament, and by the affectionate regard which the people bore to the memory of his father, and which was naturally transferred to the young sovereign upon the throne. The different characters, also, of these three princes, rendered them a counterpoise to each other; and it was natural to expect, that any dangerous designs which might be formed by one brother, would meet with opposition from the others. Lancaster, whose age and experience, and authority, under the late king, gave him the ascendant among them, though his integrity seemed not proof against great temptations, was neither of an enterprising spirit, nor of a popular and engaging temper. York was indolent, inactive, and of slender capacity. Gloucester was turbulent, bold, and popular; but being the youngest of the family, was restrained by the power and authority of his elder brothers. There appeared, therefore, no circumstance in the domestic situation of England, which might endanger the public peace, or give any immediate apprehensions to the lovers of their country.



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But as Edward, though he had fixed the succession to the crown, had taken no care to establish a plan of government, during the minority of his grandson, it behoved the parliament to supply this defect: and the house of commons distinguished themselves, by taking the lead on the occasion. This house, which had been rising to consideration, during the whole course of the late reign, naturally received an accession of power, during the minority; and, as it was now becoming a scene of business, the members chose, for the first time, a speaker, who might preserve order in their debates, and maintain those forms, which are requisite, in all numerous assemblies. Peter de la Mare was the man pitched on; the same person that had been imprisoned, and detained in custody, by the late king, for his freedom of speech in attacking the mistress and the ministers of that prince. But, though this election discovered a spirit of liberty in the commons, and was followed by father attacks, both on these ministers and on Alice Pierce,<sup>1</sup> they were still too sensible of their great inferiority, to assume, at first, any immediate share in the administration of government, or the care of the king's person. They were content to apply, by petition, to the lords, for that purpose, and desire them, both to appoint a council of nine, who might direct the public business, and to choose men of virtuous life and conversation, who might inspect the conduct and education of the young prince. The lords complied with the first part of this request, and elected the bishops of London, Carlisle, and Salisbury; the earls of Marche and Stafford, Sir Richard de Stafford, Sir Henry le Scrope, Sir John Devereux, and Sir Hugh Segrave, to whom they gave authority, for a year, to conduct the ordinary course of business.<sup>2</sup> But, as to the regulation of the king's household, they declined interposing in an office, which, they said, both was invidious in itself, and might prove disagreeable to his majesty.

The commons, as they acquired more courage, ventured to proceed a step farther in their applications. They presented a petition, in which they prayed the king to check the prevailing custom, among the barons, of forming illegal confederacies, and supporting each other, as well as men of inferior rank, in the violations of law and justice. They received from the throne a general and an obliging answer, to this petition: but another part of their application, that all the great officers should, during the king's minority, be appointed by parliament, which seemed to require the concurrence of the commons, as well as that of the upper house, in the nomination, was not complied with: the lords, alone, assumed the power of appointing these officers: the commons tacitly acquiesced in the choice; and thought that, for the present, they themselves had proceeded a sufficient length, if they but advanced their pretensions, though rejected, of interposing in those important matters of state.

<sup>1</sup> Walsing. p. 150.<sup>2</sup> Rymer, vol. vii. p. 161.

On this footing, then, the government stood. The administration was conducted entirely in the king's name: no regency was expressly appointed: the nine counsellors and the great officers, named by the peers, did their duty, each in his respective department: and the whole system was, for some years, kept together, by the secret authority of the king's uncles, especially of the duke of Lancaster, who was, in reality, the regent.

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The parliament was dissolved, after the commons had represented the necessity of their being re-assembled, once every year, as appointed by law; and after having elected two citizens, as their treasurers, to receive and disburse the produce of two fifteenths and tenths, which they had voted to the crown. In the other parliaments, called during the minority, the commons still discover a strong spirit of freedom, and a sense of their own authority, which, without breeding any disturbance, tended to secure their independence, and that of the people.\*

Edward had left his grandson involved in many dangerous wars. The pretensions of the duke of Lancaster, to the crown of Castile, made that kingdom still persevere in hostilities against England. Scotland, whose throne was now filled by Robert Stuart, nephew to David Bruce, and the first prince of that family, maintained such close connexions with France, that war with one crown, almost inevitably produced hostilities with the other. The French monarch, whose prudent conduct had acquired him the surname of *wise*, as he had already baffled all the experience and valour of the two Edwards, was likely to prove a dangerous enemy to a minor king: but his genius, which was not naturally enterprising, led him not, at present, to give any disturbance to his neighbours: and he laboured, besides, under many difficulties at home, which it was necessary for him to surmount, before he could think of making conquests in a foreign country. England was master of Calais, Bordeaux and Bayonne: had lately acquired possession of Cherbourg, from the cession of the king of Navarre, and of Brest, from that of the duke of Brittany;<sup>1</sup> and having thus an easy entrance into France, from every quarter, was able, even in its present situation, to give disturbance to his government. Before Charles could remove the English from these important posts, he died, in the flower of his age, and left his kingdom to a minor son, who bore the name of Charles VI.

Meanwhile, the war with France was carried on in a manner somewhat languid, and produced no enterprise of great lustre or renown. Sir Hugh Calverly, governor of Calais, making an inroad into Picardy, with a detachment of the garrison, set fire to Boulogne.<sup>2</sup> The duke of Lancaster conducted an army into Brittany, but returned without being able to perform any thing memorable. In a subsequent year, the duke of Gloucester march-

1378.

\* See note [A] at the end of the volume. <sup>1</sup> Rymer, vol. vii. p. 190.  
<sup>2</sup> Walsing, p. 209.

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ed out of Calais, with a body of two thousand cavalry, and eight thousand infantry; and scrupled not, with his small army, to enter the heart of France, and to continue his ravages through Picardy, Champagne, the Brie, the Beausse, the Gatinnois, the Orleanois, till he reached his allies, in the province of Brittany.<sup>1</sup> The duke of Burgundy, at the head of a more considerable army, came within sight of him: but the French were so overawed by the former successes of the English, that no superiority of numbers could tempt them to venture a pitched battle with the troops of that nation. As the duke of Brittany, soon after the arrival of these succours, formed an accommodation with the court of France, this enterprise also proved, in the issue, unsuccessful, and made no durable impression upon the enemy.

The expenses of these armaments, and the usual want of economy attending a minority, much exhausted the English treasury, and obliged the parliament, besides making some alterations in the council, to impose a new and unusual tax, of three groats, on every person, male and female, above fifteen years of age; and they ordained, that, in levying that tax, the opulent should relieve the poor, by an equitable compensation. This imposition produced a mutiny, which was singular in its circumstances. All history abounds with examples, where the great tyrannize over the meaner sort: but here, the lowest populace rose against their rulers, committed the most cruel ravages upon them, and took vengeance for all former oppressions.

1381.

The faint dawn of the arts, and of good government, in that age, had excited the minds of the populace, in different states of Europe, to wish for a better condition, and to murmur against those chains which the laws, enacted by the haughty nobility and gentry, had so long imposed upon them. The commotions of the people, in Flanders, the mutiny of the peasants, in France, were the natural effects of this growing spirit of independence; and the report of these events being brought into England, where personal slavery, as we learn from Froissard,<sup>2</sup> was more general than in any other country in Europe, had prepared the minds of the multitude for an insurrection. One John Ball, also, a seditious preacher, who affected low popularity, went about the country, and inculcated, on his audience, the principles of the first origin of mankind from one common stock, their equal right to liberty, and to all the goods of nature; the tyranny of artificial distinctions; and the abuses which had arisen from the degradation of the more considerable part of the species, and the aggrandizement of a few insolent rulers.<sup>3</sup> These doctrines, so agreeable to the populace, and so conformable to the ideas of primitive equality which are engraven in the hearts of all men, were greedily received by the multitude; and

<sup>1</sup> Froissard, liv. ii. chap. 50, 51. Walsing. p. 239. <sup>2</sup> Liv. ii. chap. 74.

<sup>3</sup> Froissard, liv. ii. chap. 74. Walsing. p. 275.



scattered the seeds of that sedition, which the present tax raised into a conflagration.<sup>1</sup>

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The imposition of three groats a head had been farmed out to tax-gatherers, in each county, who levied the money on the people with rigour; and the clause, of making the rich ease their poorer neighbours of some share of the burden, being so vague and undeterminate, had doubtless occasioned many partialities, and made the people more sensible of the unequal lot, which fortune had assigned them, in the distribution of her favours. The first disorder was raised by a blacksmith, in a village of Essex. The tax-gatherers came to this man's shop, while he was at work; and they demanded payment for his daughter, whom he asserted to be below the age assigned by the statute. One of these fellows offered to produce a very indecent proof to the contrary, and, at the same time, laid hold of the maid; which the father resenting, immediately knocked out the ruffian's brains with his hammer. The bystanders applauded the action, and exclaimed, that it was full time for the people to take vengeance on their tyrants, and to vindicate their native liberty. They immediately flew to arms: the whole neighbourhood joined in the sedition; the flame spread, in an instant, over the county: it soon propagated itself into that of Kent, of Hertford, Surrey, Sussex, Suffolk, Norfolk, Cambridge, and Lincoln. Before the government had the least warning of the danger, the disorder had grown beyond control or opposition: the populace had shaken off all regard to their former masters: and, being headed by the most audacious and criminal of their associates, who assumed the feigned names of Wat Tyler, Jack Straw, Hob Carter, and Tom Miller, by which they were fond of denoting their mean origin, they committed every where the most outrageous violence, on such of the gentry and nobility as had the misfortune to fall into their hands.

1381.  
Insurrec-  
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The mutinous populace, amounting to a hundred thousand men, assembled on Blackheath, under their leaders, Tyler and Straw; and as the princess of Wales, the king's mother, returning from a pilgrimage to Canterbury, passed through the midst of them, they insulted her attendants; and, some of the most insolent among them, to show their purpose of levelling all mankind, forced kisses from her; but they allowed her to continue her journey, without attempting any farther injury.<sup>2</sup> They sent a message to the king, who had taken shelter in the Tower; and they desired a conference with him. Richard sailed down the river, in a barge, for that purpose; but on his approaching the

<sup>1</sup> There were two verses, at that time, in the mouths of all the common people, which, in spite of prejudice, one cannot but regard with some degree of approbation.

When Adam delv'd, and Eve span,  
Where was then the gentleman?

<sup>2</sup> Froissard, liv. ii. chap. 74.

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shore, he saw such symptoms of tumult and insolence, that he put back, and returned to that fortress.<sup>1</sup> The seditious peasants, meanwhile, favoured by the populace of London, had broken into the city; had burned the duke of Lancaster's palace of the Savoy; cut off the heads of the gentlemen whom they laid hold of; expressed a particular animosity against the lawyers and attorneys; and pillaged the warehouses of the rich merchants.<sup>2</sup> A great body of them quartered themselves at Mile-end; and the king, finding no defence in the Tower, which was weakly garrisoned, and ill supplied with provisions, was obliged to go out to them, and ask their demands. They required a general pardon, the abolition of slavery, freedom of commerce in market towns, without toll or impost, and a fixed rent on lands, instead of the services due by villainage. These requests, which, though extremely reasonable in themselves, the nation was not sufficiently prepared to receive, and which it was dangerous to have extorted by violence, were however complied with; charters to that purpose were granted them; and this body immediately dispersed and returned to their several homes.<sup>3</sup>

During this transaction another body of the rebels had broken into the Tower: had murdered Simon Sudbury, the primate and chancellor, with Sir Robert Hales, the treasurer, and some other persons of distinction; and continued their ravages in the city.<sup>4</sup> The king, passing along Smithfield, very slenderly guarded, met with Wat Tyler, at the head of these rioters, and entered into a conference with him. Tyler, having ordered his companions to retire till he should give them a signal, after which they were to murder all the company except the king himself, whom they were to detain prisoner, feared not to come into the midst of the royal retinue. He there behaved himself in such a manner, that Walworth, the mayor of London, not able to bear his insolence, drew his sword, and struck him so violent a blow, as brought him to the ground, where he was instantly despatched by others of the king's attendants. The mutineers seeing their leader fall, prepared themselves for revenge; and this whole company, with the king himself, had undoubtedly perished on the spot, had it not been for an extraordinary presence of mind, which Richard discovered, on the occasion. He ordered his company to stop; he advanced alone towards the enraged multitude; and, accosting them, with an affable and intrepid countenance, he asked them, "what is the meaning of this disorder, my good people? Are ye angry that you have lost your leader? I am your king: I will be your leader." The populace, overawed by his presence, implicitly followed him: he led them into the fields, to prevent any disorder which might have arisen by their continuing in the city: being there joined by Sir Robert Knolles, and a body of well armed veteran soldiers, who had been secretly drawn together, he strictly pro-

<sup>1</sup> Froissard, liv. ii. chap. 75.    <sup>2</sup> Ibid. chap. 76.    Walsingham, p. 248, 249.  
<sup>3</sup> Froissard, liv. ii. chap. 77.    <sup>4</sup> Walsingham, p. 250, 251.

hibited that officer from falling on the rioters, and committing an undistinguished slaughter upon them; and he peaceably dismissed them, with the same charters which had been granted to their fellows.<sup>1</sup> Soon after, the nobility and gentry, hearing of the king's danger, in which they were all involved, flocked to London, with their adherents and retainers: and Richard took the field, at the head of an army, forty thousand strong.<sup>2</sup> It then behoved all the rebels to submit: the charters of enfranchisement and pardon were revoked, by parliament; the low people were reduced to the same slavish condition as before; and several of the ringleaders were severely punished for the late disorders. Some were even executed, without process, or form of law.<sup>3</sup> It was pretended that the intentions of the mutineers had been to seize the king's person, to carry him through England at their head, to murder all the nobility, gentry, and lawyers, and even all the bishops and priests, except the mendicant friars; to despatch, afterwards, the king himself; and, having thus reduced all to a level, to order the kingdom at their pleasure.<sup>4</sup> It is not impossible, but many of them, in a delirium of their first success, might have formed such projects: but of all the evils incident to human society, the insurrections of the populace, when not raised and supported by persons of higher quality, are the least to be dreaded: the mischiefs consequent to an abolition of all rank and distinction, become so great, that they are immediately felt, and soon bring affairs back to their former order and arrangement.

A youth of sixteen, (which was at this time the king's age,) who had discovered so much courage, presence of mind, and address, and had so dexterously eluded the violence of this tumult, raised great expectations in the nation; and it was natural to hope, that he would, in the course of his life, equal the glories which had so uniformly attended his father and his grandfather, in all their undertakings. But in proportion as Richard advanced in years, these hopes vanished; and his want of capacity, at least of solid judgment, appeared in every enterprise which he attempted. The Scots, sensible of their own deficiency in cavalry, had applied to the regency of Charles VI. and John de Vienne, admiral of France, had been sent over, with a body of fifteen hundred men at arms, to support them in their incursions against the English. The danger was now deemed, by the king's uncles, somewhat serious; and a numerous army of sixty thousand men was levied: and they marched into Scotland, with Richard himself at their head. The Scots did not pretend to make resistance against so great a force: they abandoned, without scruple, their country, to be pillaged and destroyed by the enemy: and when de Vienne expressed

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<sup>1</sup> Freissard, liv. ii. chap. 77. Walsingham, p. 252. Knyghton, p. 2637.  
<sup>2</sup> Walsingham, p. 267. <sup>3</sup> 5 Rich. II. cap. ult. as quoted in the Observations on ancient Statutes, p. 262. <sup>4</sup> Walsingham, p. 265.



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his surprise at this plan of operations, they told him, that all their cattle was driven into the forests and fastnesses; that their houses and other goods were of small value; and that they well knew how to compensate any losses which they might sustain in that respect, by making an incursion into England. Accordingly, when Richard entered Scotland, by Berwick, and the east coast, the Scots, to the number of thirty thousand men, attended by the French, entered the borders of England, by the west, and, carrying their ravages through Cumberland, Westmoreland, and Lancashire, collected a rich booty; and then returned, in tranquillity, to their own country. Richard, meanwhile, advanced towards Edinburgh, and destroyed, in his way, all the towns and villages on each side of him: he reduced that city to ashes: he treated, in the same manner, Perth, Dundee, and other places, in the low countries; but when he was advised to march towards the west coast, to await there the return of the enemy, and to take revenge on them for their devastations, his impatience to return to England, and enjoy his usual pleasures and amusements, outweighed every consideration; and he led back his army, without effecting any thing by all these mighty preparations. The Scots, soon after, finding the heavy bodies of French cavalry very useless in that desultory kind of war to which they confined themselves, treated their allies so ill, that the French returned home, much disgusted with the country, and with the manners of its inhabitants.<sup>1</sup> And the English, though they regretted the indolence and levity of their king, saw themselves, for the future, secured against any dangerous invasion from that quarter.

1386.

But it was so material an interest of the French court, to wrest the seaport towns from the hands of their enemy, that they resolved to attempt it, by some other expedient, and found no means so likely as an invasion of England itself. They collected a great fleet and army at Sluise; for the Flemings were now in alliance with them: all the nobility of France were engaged in this enterprise: the English were kept in alarm: great preparations were made for the reception of the invaders: and though the dispersion of the French ships by a storm, and the taking of many of them, by the English, before the embarkation of the troops, freed the kingdom from the present danger, the king and council were fully sensible that this perilous situation might every moment return upon them.<sup>2</sup>

There were two circumstances, chiefly, which engaged the French, at this time, to think of such attempts. The one was the absence of the duke of Lancaster, who had carried into Spain the flower of the English military force, in prosecution of his vain claim to the crown of Castile; an enterprise, in which, after some promising success, he was finally disappointed: the

<sup>1</sup> Froissard, liv. ii. chap. 149, 150, &c. liv. iii. chap. 52. Walsingham, p. 316, 317. <sup>2</sup> Froissard, liv. iii. chap. 41, 53. Walsingham, p. 322, 323.

other was, the violent dissensions and disorders, which had taken place in the English government.

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The subjection in which Richard was held, by his uncles, particularly by the duke of Gloucester, a prince of ambition and genius, though it was not unsuitable to his years and slender capacity, was extremely disagreeable to his violent temper; and he soon attempted to shake off the yoke imposed upon him. Robert de Vere, earl of Oxford, a young man of a noble family, of an agreeable figure, but of dissolute manners, had acquired an entire ascendant over him, and governed him with an absolute authority. The king set so little bounds to his affection, that he first created his favourite marquis of Dublin, a title before unknown in England, then duke of Ireland; and transferred to him, by patent, which was confirmed in parliament, the entire sovereignty, for life, of that island.<sup>1</sup> He gave him in marriage his cousin-german, the daughter of Ingelram de Couci, earl of Bedford; but, soon after, he permitted him to repudiate that lady, though of an unexceptionable character, and to marry a foreigner, a Bohemian, with whom he had become enamoured.<sup>2</sup> These public declarations of attachment, turned the attention of the whole court towards the minion: all favours passed through his hands: access to the king could only be obtained by his mediation: and Richard seemed to take no pleasure in royal authority but so far as it enabled him to load with favours, and titles, and dignities, this object of his affections.

The jealousy of power, immediately produced an animosity, Discontent of the  
between the minion and his creatures, on the one hand, and the princes of the blood and chief nobility on the other; and the usual complaints against the insolence of favourites, were loudly echoed, and greedily received, in every part of the kingdom. Moubray, earl of Nottingham, the mareschal, Fitz-Alan, earl of Arundel, Piercy, earl of Northumberland, Montacute, earl of Salisbury, Beauchamp, earl of Warwick, were all connected with each other, and with the princes, by friendship or alliance, and still more by their common antipathy to those who had eclipsed them in the king's favour and confidence. No longer kept in awe, by the personal character of the prince, they scorned to submit to his ministers; and the method which they took, to redress the grievances complained of, well suited the violence of the age, and proves the desperate extremities to which every opposition was sure to be instantly carried.

Michael de la Pole, the present chancellor, and lately created earl of Suffolk, was the son of an eminent merchant; but had risen, by his abilities and valour, during the wars of Edward III. had acquired the friendship of that monarch, and was esteemed the person of greatest experience and capacity, among those who were attached to the duke of Ireland, and the king's secret coun-

<sup>1</sup> Cotton, p. 310, 311. Cox's Hist. of Ireland, p. 129. Walsingham, p. 324.  
<sup>2</sup> Walsingham, p. 328.

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cil. The duke of Gloucester, who had the house of commons at his devotion, impelled them to exercise that power, which they seem first to have assumed against lord Latimer, during the declining years of the late king; and an impeachment against the chancellor was carried up, by them, to the house of peers, which was no less at his devotion. The king foresaw the tempest preparing against him and his ministers. After attempting, in vain, to rouse the Londoners to his defence, he withdrew from parliament, and retired, with his court, to Eltham. The parliament sent a deputation, inviting him to return, and threatening, that, if he persisted in absenting himself, they would immediately dissolve, and leave the nation, though at that time in imminent danger of a French invasion, without any support or supply for its defence. At the same time, a member was encouraged to call for the record, containing a parliamentary deposition of Edward II. a plain intimation of the fate which Richard, if he continued refractory, had reason to expect from them. The king, finding himself unable to resist, was content to stipulate, that, except finishing the present impeachment against Suffolk, no attack should be made upon any other of his ministers; and, on that condition, he returned to parliament.\*

Nothing can prove, more fully, the innocence of Suffolk, than the frivolousness of the crimes which his enemies, in the present plenitude of their power, thought proper to object against him.<sup>1</sup> It was alleged, that being chancellor, and obliged by his oath to consult the king's profit, he had purchased lands of the crown, below their true value; that he had exchanged, with the king, a perpetual annuity of four hundred marks a year, which he inherited from his father, and which was assigned upon the customs of the port of Hull, for lands of an equal income; that, having obtained for his son the priory of St. Anthony, which was formerly possessed by a Frenchman, an enemy, and a schismatic, and a new prior being at the same time named by the pope, he had refused to admit this person, whose title was not legal, till he made a composition with his son, and agreed to pay him a hundred pounds a year from the income of the benefice; that he had purchased, from one Tydeman, of Limborch, an old and forfeited annuity of fifty pounds a year upon the crown, and had engaged the king to admit that bad debt; and that, when created earl of Suffolk, he had obtained a grant of five hundred pounds a year, to support the dignity of that title.<sup>2</sup> Even the proof of these articles, frivolous as they are, was found very deficient

\* See note [B] at the end of the volume. <sup>1</sup> Cotton, p. 315. Knyghton,

p. 2683. <sup>2</sup> It is probable that the earl of Suffolk was not rich, nor able to support the dignity, without the bounty of the crown; for his father, Michael de la Pole, though a great merchant, had been ruined by lending money to the late king. See Cotton, p. 194. We may remark, that the dukes of Gloucester and York, though vastly rich, received, at the same time, each of them, a thousand pounds a year, to support their dignity. Rymer, vol. vii. p. 481. Cotton, p. 310.



upon the trial: it appeared that Suffolk had made no purchase from the crown, while he was chancellor, and that all his bargains of that kind, were made before he was advanced to that dignity.<sup>1</sup> It is almost needless to add, that he was condemned, notwithstanding his defence; and that he was deprived of his office.

Gloucester and his associates observed their stipulation with the king, and attacked no more of his ministers: but, they immediately attacked himself, and his royal dignity, and framed a commission, after the model of those which had been attempted almost in every reign, since that of Richard I. and which had always been attended with extreme confusion.<sup>2</sup> By this commission, which was ratified by parliament, a council of fourteen persons was appointed, all of Gloucester's faction, except Nevil, archbishop of York: the sovereign power was transferred to these men, for a twelvemonth: the king, who had now reached the twenty-first year of his age, was, in reality, dethroned: the aristocracy was rendered supreme: and, though the term of the commission was limited, it was easy to foresee that the intentions of the party were to render it perpetual, and that power would, with great difficulty, be wrested from those grasping hands, to which it was once committed. Richard, however, was obliged to submit: he signed the commission, which violence had extorted from him; he took an oath, never to infringe it; and though, at the end of the session, he *publicly* entered a protest, that the prerogatives of the crown, notwithstanding his late concession, should still be deemed entire and unimpaired,<sup>3</sup> the new commissioners, without regarding this declaration, proceeded to the exercise of their authority.

The king, thus dispossessed of royal power, was soon sensible of the contempt into which he was fallen. His favourites and ministers, who were as yet allowed to remain about his person, failed not to aggravate the injury, which, without any demerit on his part, had been offered to him. And his eager temper was, of itself, sufficiently inclined to seek the means, both of recovering his authority, and of revenging himself on those who had invaded it. As the house of commons appeared now of weight, in the constitution, he secretly tried some expedients for procuring a favourable election: he sounded some of the sheriffs, who, being at that time both the returning officers and magistrates of great power in the counties, had naturally considerable influence in elections.<sup>4</sup> But, as most of them had been appointed by his uncles, either during his minority, or during the course of the present commission, he found them, in general, averse to his enterprise. The sentiments and inclinations

<sup>1</sup> Cotton, p. 315. <sup>2</sup> Knyghton, p. 2686. Statutes at Large, 10 Rich. II. chap. i. <sup>3</sup> Cotton, p. 318. <sup>4</sup> In the preamble to 5 Henry IV. cap. vii it is implied, that the sheriffs, in a manner, appointed the members of the house of commons, not only in this parliament, but in many others.

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of the judges were more favourable to him. He met, at Nottingham, Sir Robert Tresilian, chief justice of the king's bench, Sir Robert Belknappe, chief justice of the common pleas, Sir John Cary, chief baron of the exchequer, Holt, Fulthorpe, and Bourg, inferior justices, and Lockton, sergeant at law; and he proposed to them some queries; which these lawyers, either from the influence of his authority, or of reason, made no scruple of answering in the way he desired. They declared that the late commission was derogatory to the royalty and prerogative of the king; that those who procured it, or advised the king to consent to it, were punishable with death; that those who necessitated and compelled him, were guilty of treason; that those were equally criminal who should persevere in maintaining it; that the king has the right of dissolving parliaments, at pleasure; that the parliament, while it sits, must first proceed upon the king's business; and that this assembly cannot, without his consent, impeach any of his ministers and judges.<sup>1</sup> Even according to our present strict maxims, with regard to law and the royal prerogative, all these determinations, except the two last, appear justifiable: and, as the great privileges of the commons, particularly that of impeachment, were, hitherto, new, and supported by few precedents, there want not plausible reasons to justify these opinions of the judges.<sup>2</sup> They signed, therefore, their answer to the king's queries, before the archbishops of York and Dublin, the bishops of Durham, Chichester, and Bangor, the duke of Ireland, the earl of Suffolk, and two other counsellors of inferior quality.

The duke of Gloucester, and his adherents, soon got intelligence of this secret consultation, and were naturally very much alarmed at it. They saw the king's intentions; and they determined to prevent the execution of them. As soon as he came to London, which they knew was well disposed to their party, they secretly assembled their forces, and appeared in arms, at Haringay park, near Highgate, with a power which Richard

<sup>1</sup> Knyghton, p. 2695. Ypod. Neust. p. 541. <sup>2</sup> The parliament in 1341, exacted of Edward III. that on the third day of every session, the king should resume all the great offices; and that the ministers should then answer to any accusation that should be brought against them. Which plainly implies, that while ministers, they could not be accused or impeached in parliament. Henry IV. told the commons, that the usage of parliament required them first to go through the king's business, in granting supplies; which order the king intended not to alter. Parl. Hist. vol. ii. p. 65. Upon the whole, it must be allowed, that, according to ancient practice and principles, there are at least plausible grounds for all these opinions of the judges. It must be remarked, that this affirmation of Henry IV. was given deliberately, after consulting the house of peers, who were much better acquainted with the usage of parliament than the ignorant commons. And it has the greater authority, because Henry IV. had made this very principle a considerable article of charge against his predecessor; and, that a very few years before. So ill grounded were most of the imputations thrown on the unhappy Richard!

and his ministers were not able to resist. They sent him a message, by the archbishop of Canterbury, and the lords Lovel, Cobham and Devereux, and demanded that the persons who had seduced him, by their pernicious counsel, and were traitors both to him and to the kingdom, should be delivered up to them. A few days after, they appeared in his presence, armed, and attended with armed followers, and they accused, by name, the archbishop of York, the duke of Ireland, the earl of Suffolk, Sir Robert Tresilian, and Sir Nicholas Brembre, as public and dangerous enemies to the state. They threw down their gauntlets before the king, and fiercely offered to maintain the truth of their charge by duel. The persons accused, and all the other obnoxious ministers, had withdrawn, or had concealed themselves.

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The duke of Ireland fled to Cheshire, and levied some forces, with which he advanced to relieve the king from the violence of the nobles. Gloucester encountered him, in Oxfordshire, with much superior forces, routed him, dispersed his followers, and obliged him to fly into the Low Countries, where he died, in exile, a few years after. The lords then appeared at London, with an army of forty thousand men; and, having obliged the king to summon a parliament, which was entirely at their devotion, they had full power, by observing a few legal forms, to take vengeance on all their enemies. Five great peers, men whose combined power was able, at any time, to shake the throne, the duke of Gloucester, the king's uncle; the earl of Derby, son of the duke of Lancaster; the earl of Arundel; the earl of Warwick, and the earl of Nottingham, mareschal of England, entered before the parliament an accusation or appeal, as it was called, against the five counsellors, whom they had already accused before the king. The parliament, who ought to have been judges, were not ashamed to impose an oath on all their members, by which they bound themselves to live and die with the lords appellants, and to defend them against all opposition, with their lives and fortunes.<sup>1</sup>

1388.

3d Feb.

Expulsion  
or execu-  
tion of the  
king's mi-  
nister's.

The other proceedings were well suited to the violence and iniquity of the times. A charge, consisting of thirty-nine articles, was delivered in by the appellants; and, as none of the accused counsellors, except Sir Nicholas Brembre, was in custody, the rest were cited to appear; and, upon their absenting themselves, the house of peers, after a very short interval, without hearing a witness, without examining a fact, or deliberating on one point of law, declared them guilty of high treason. Sir Nicholas Brembre, who was produced in court, had the appearance, and but the appearance, of a trial: the peers, though they were not, by law, his proper judges, pronounced, in a very summary manner, sentence of death upon him; and he was exe-

<sup>1</sup> Cotton, p. 322.



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cuted, together with Sir Robert Tresilian, who had been discovered, and taken in the interval.

It would be tedious to recite the whole charge delivered in against the five counsellors; which is to be met with in several collections.<sup>1</sup> It is sufficient to observe, in general, that if we reason upon the supposition, which is the true one, that the royal prerogative was invaded, by the commission extorted by the duke of Gloucester and his associates, and that the king's person was afterwards detained in custody, by rebels, many of the articles will appear, not only to imply no crime in the duke of Ireland, and the ministers, but to ascribe to them actions which were laudable, and which they were bound, by their allegiance, to perform. The few articles, impeaching the conduct of these ministers, before that commission, which subverted the constitution, and annihilated all justice and legal authority, are vague and general; such as their engrossing the king's favour, keeping his barons at a distance from him, obtaining unreasonable grants for themselves or their creatures, and dissipating the public treasure, by useless expenses. No violence is objected to them; no particular illegal act;\* no breach of any statute; and their administration may, therefore, be concluded to have been so far innocent and inoffensive. All the disorders, indeed, seem to have proceeded, not from any violation of the laws, or any ministerial tyranny, but merely from a rivalry of power, which the duke of Gloucester and the great nobility, agreeably to the genius of the times, carried to the utmost extremity against their opponents, without any regard to reason, justice, or humanity.

But these were not the only deeds of violence committed during the triumph of the party. All the other judges, who had signed the extrajudicial opinions, at Nottingham, were condemned to death, and were, as a grace or favour, banished to Ireland; though they pleaded the fear of their lives, and the menaces of the king's ministers, as their excuse. Lord Beauchamp, of Holt, Sir James Berners, and John Salisbury, were also tried, and condemned for high treason, merely because they had attempted to defeat the late commission: but the life of the latter was spared. The fate of Sir Simon Burley was more severe: this gentleman was much beloved for his personal merit, had distinguished himself by many honourable actions,<sup>2</sup> was created knight of the garter, and had been appointed governor to Richard by the choice of the late king, and of the Black

<sup>1</sup> Knyghton, p. 2715. Tyrrel, vol. iii. part ii. p. 919, from the records. Parl. Hist. vol. i. p. 414. \* See note [C] at the end of the volume. <sup>2</sup> At least this is the character given of him by Froissard, liv ii. who knew him personally: Walsingham, p. 334, gives a very different character of him; but he is a writer, somewhat passionate and partial; and the choice made of this gentleman, by Edward III. and the Black Prince, for the education of Richard, makes the character given him by Froissard much more probable.

Prince: he had attended his master, from the earliest infancy of that prince, and had ever remained extremely attached to him: yet, all these considerations could not save him from falling a victim to Gloucester's vengeance. This execution, more than all the others, made a deep impression on the mind of Richard: his queen, too, (for he was already married, to the sister of the emperor Wenceslaus, king of Bohemia) interested herself, in behalf of Burley: she remained three hours on her knees before the duke of Gloucester, pleading for that gentleman's life; but though she was become extremely popular, by her amiable qualities, which had acquired her the appellation of *the good queen Ann*, her petition was sternly rejected by the inexorable tyrant.

The parliament concluded this violent scene, by a declaration that none of the articles, decided on these trials, to be treason, should ever afterwards be drawn into precedent, by the judges, who were still to consider the statute of the twenty-fifth of Edward, as the rule of their decisions. The house of lords seem not, at that time, to have known or acknowledged the principle, that they themselves were bound, in their judicial capacity, to follow the rules which they, in conjunction with the king and commons, had established, in their legislative.\* It was also enacted, that every one should swear to the perpetual maintenance and support of the forfeitures and attainders, and of all the other acts, passed during this parliament. The archbishop of Canterbury added the penalty of excommunication, as a farther security to these violent transactions.

It might naturally be expected, that the king, being reduced to such slavery, by the combination of the princes and chief nobility, and having appeared so unable to defend his servants from the cruel effects of their resentment, would long remain in subjection to them; and never would recover the royal power, without the most violent struggles and convulsions: but the event proved contrary. In less than a twelvemonth, Richard, who was in his twenty-third year, declared in council, that, as he had now attained the full age which entitled him to govern, by his own authority, his kingdom and household, he resolved to exercise his right of sovereignty; and when no one ventured to contradict so reasonable an intention, he deprived Fitz-Alan, archbishop of Canterbury, of the dignity of chancellor, and bestowed that high office on William, of Wickham, bishop of Winchester; the bishop of Hereford was displaced from the office of treasurer, the earl of Arundel from that of admiral; even the duke of Gloucester and the earl of Warwick were removed, for a time, from the council: and no opposition was made to these great changes. The history of this reign is imperfect, and little to be depended on; except where it is supported by public records; and it is not easy for us to assign the reason of this un-

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\* See note [D] at the end of the volume.

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expected event. Perhaps some secret animosities, naturally to be expected in that situation, had crept in among the great men, and had enabled the king to recover his authority. Perhaps the violence of their former proceedings had lost them the affections of the people, who soon repent of any cruel extremities to which they are carried by their leaders. However this may be, Richard exercised, with moderation, the authority which he had resumed. He seemed to be entirely reconciled to his uncles<sup>1</sup> and the other great men, of whom he had so much reason to complain: he never attempted to recal, from banishment, the duke of Ireland, whom he found so obnoxious to them: he confirmed, by proclamation, the general pardon which the parliament had passed for all offences: and he courted the affections of the people by voluntarily remitting some subsidies which had been granted him; a remarkable and almost singular instance of such generosity.

After this composure of domestic differences, and this restoration of the government to its natural state, there passes an interval of eight years, which affords not many remarkable events. The duke of Lancaster returned from Spain; having resigned to his rival all pretensions to the crown of Castile, upon payment of a large sum of money,<sup>2</sup> and having married his daughter, Philippa, to the king of Portugal. The authority of this prince served to counterbalance that of the duke of Gloucester, and secured the power of Richard, who paid great court to his eldest uncle, by whom he had never been offended, and whom he found more moderate in his temper than the younger. He made a cession to him, for life, of the dutchy of Guienne,<sup>3</sup> which the inclinations and changeable humour of the Gascons had restored to the English government; but as they remonstrated loudly against this deed, it was finally, with the duke's consent, revoked by Richard.<sup>4</sup> There happened an accident, which produced a dissension between Lancaster and his two brothers. After the death of the Spanish princess, he espoused Catharine Swineford, daughter of a private knight of Hainault, by whose alliance, York and Gloucester thought the dignity of their family much injured: but the king gratified his uncle, by passing, in parliament, a charter of legitimation to the children, whom that lady had borne him before marriage, and by creating the eldest earl of Somerset.<sup>5</sup>

The wars, meanwhile, which Richard had inherited with his crown, still continued: though interrupted by frequent truces, according to the practice of that age, and conducted with little vigour, by reason of the weakness of all parties. The French war was scarcely heard of; the tranquillity, of the northern borders, was only interrupted by one inroad of the Scots, which proceeded more from a rivalry between the two martial families

<sup>2</sup> Dugdale, vol. ii. p. 170. <sup>3</sup> Knyghton, p. 2677. Walsingham, p. 342.  
<sup>4</sup> Rymer, vol. vii. p. 659. <sup>5</sup> Ibid. p. 687. <sup>6</sup> Cotton, p. 365. Walsingham, p. 352.



of Piercy and Douglas, than from any national quarrel: a fierce battle, or skirmish, was fought at Otterbourne,<sup>1</sup> in which young Piercy, surnamed *Hotspur*, for his impetuous valour, was taken prisoner, and Douglas slain; and the victory remained undecided. Some insurrections of the Irish obliged the king to make an expedition into that country, which he reduced to obedience; and he recovered, in some degree, by this enterprise, his character of courage, which had suffered a little by the inactivity of his reign. At last, the English and French courts began to think, in earnest, of a lasting peace; but found it so difficult to adjust their opposite pretensions, that they were content to establish a truce of twenty-five years:<sup>3</sup> Brest and Cherbourg were restored, the former to the duke of Brittany, the latter to the king of Navarre: both parties were left in possession of all the other places which they held at the time of concluding the truce: and to render the amity between the two crowns more durable, Richard, who was now a widower, was affianced to Isabella, the daughter of Charles.<sup>4</sup> This princess was only seven years of age; but the king agreed to so unequal a match, chiefly that he might fortify himself, by this alliance, against the enterprises of his uncles, and the incurable turbulence, as well as inconstancy of his barons.

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The administration of the king, though it was not, in this interval, sullied by any unpopular act, except the seizing of the charter of London,<sup>5</sup> which was soon after restored, tended not much to corroborate his authority; and his personal character brought him into contempt, even while his public government appeared, in a good measure, unexceptionable. Indolent, profuse, addicted to low pleasures; he spent his whole time in feasting and jollity, and dissipated, in idle show, or in bounties to favourites of no reputation, that revenue which the people expected to see him employ in enterprises directed to public honour and advantage. He forgot his rank, by admitting all men to his familiarity; and he was not sensible, that their acquaintance with the qualities of his mind, was not able to impress them with the respect which he neglected to preserve from his birth and station. The earls of Kent and Huntingdon, his half brothers, were his chief confidants and favourites; and though he never devoted himself to them with so profuse an affection as that with which he had formerly been attached to the duke of Ireland, it was easy for men to see, that every grace passed through their hands, and that the king had rendered himself a mere cipher in the government. The small regard which the public bore to his person, disposed them to murmur against his administration, and to receive, with greedy ears, every complaint which the discontented or ambitious grandees suggested to them.

<sup>1</sup> 15th August, 1388. <sup>2</sup> Froissard, liv. iii. chap. 124, 125, 126. <sup>3</sup> Walsingham, p. 355. <sup>4</sup> Rymer, vol. vii. p. 820. <sup>5</sup> Ibid. p. 811. <sup>6</sup> Ibid. p. 727. Walsingham, p. 347.

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Cabals of  
the duke  
of Glou-  
cester.

Gloucester soon perceived the advantages which this dissolute conduct gave him; and finding, that both resentment and jealousy, on the part of his nephew, still prevented him from acquiring any ascendant over that prince, he determined to cultivate his popularity with the nation, and to revenge himself on those who eclipsed him in favour and authority. He seldom appeared at court or in council: he never declared his opinion, but in order to disapprove of the measures embraced by the king and his favourites; and he courted the friendship of every man whom disappointment or private resentment had rendered an enemy to the administration. The long truce with France was unpopular with the English, who breathed nothing but war, against that hostile nation; and Gloucester took care to encourage all the vulgar prejudices which prevailed on this subject. Forgetting the misfortunes which attended the English arms during the latter years of Edward, he made an invidious comparison between the glories of that reign and the inactivity of the present, and he lamented that Richard should have degenerated so much from the heroic virtues, by which his father and his grandfather were distinguished. The military men were inflamed with a desire of war, when they heard him talk of the signal victories formerly obtained, and of the easy prey which might be made of French riches, by the superior valour of the English: the populace readily embraced the same sentiments: and all men exclaimed, that this prince, whose counsels were so much neglected, was the true support of English honour, and alone able to raise the nation to its former power and splendour. His great abilities, his popular manners, his princely extraction, his immense riches, his high office of constable,<sup>1</sup> all these advantages, not a little assisted by his want of court favour, gave him a mighty authority in the kingdom, and rendered him formidable to Richard and his ministers.

Froissard,<sup>2</sup> a contemporary writer, and very impartial, but whose credit is somewhat impaired by his want of exactness in material facts, ascribes to the duke of Gloucester more desperate views, and such as were totally incompatible with the government and domestic tranquillity of the nation. According to that historian, he proposed to his nephew, Roger Mortimer, earl of Marche, whom Richard had declared his successor, to give him immediate possession of the throne, by the deposition of a prince so unworthy of power and authority: and when Mortimer declined the project, he resolved to make a partition of the kingdom between himself, his two brothers, and the earl of Arundel; and entirely to dispossess Richard of the crown. The king, it is said, being informed of these designs, saw that either his own ruin or that of Gloucester was inevitable; and he resolved, by a hasty blow, to prevent the execution of such destructive projects. This is certain, that Gloucester, by his own confession,

<sup>1</sup> Rymer, vol. vii. p. 152. <sup>2</sup> Liv. iv. chap. 86.

had often affected to speak contemptuously of the king's person and government; had deliberated concerning the lawfulness of throwing off allegiance to him; and had even borne part in a secret conference, where his deposition was proposed, and talked of, and determined:<sup>1</sup> but it is reasonable to think, that his schemes were not so far advanced as to make him resolve on putting them immediately in execution. The danger, probably, was still too distant, to render a desperate remedy entirely necessary for the security of government.

But, whatever opinion we may form of the danger arising from Gloucester's conspiracies, his aversion to the French truce and alliance was public and avowed; and that court, which had now a great influence over the king, pushed him to provide for his own safety, by punishing the traitorous designs of his uncle. The resentment against his former acts of violence revived; the sense of his refractory and uncompliant behaviour, was still recent; and a man whose ambition had once usurped royal authority, and who had murdered all the faithful servants of the king, was thought capable, on a favourable opportunity, of renewing the same criminal enterprises. The king's precipitate temper admitted of no deliberation: he ordered Gloucester to be unexpectedly arrested; to be hurried on board a ship, which was lying in the river; and to be carried over to Calais, where, alone, by reason of his numerous partisans, he could safely be detained in custody.<sup>2</sup> The earls of Arundel and Warwick were seized at the same time: the malcontents, so suddenly deprived of their leaders, were astonished and overawed: and the concurrence of the dukes of Lancaster and York, in those measures, together with the earls of Derby and Rutland, the eldest sons of these princes,<sup>3</sup> bereaved them of all possibility of resistance.

A parliament was immediately summoned at Westminster; 17th Sept. and the king doubted not to find the peers, and still more the commons, very compliant with his will. This house had, in a former parliament, given him very sensible proofs of their attachment;\* and the present suppression of Gloucester's party, made him still more assured of a favourable election. As a farther expedient for that purpose, he is also said to have employed the influence of the sheriffs; a practice which, though not unusual, gave umbrage, but which the established authority of that assembly, rendered afterwards still more familiar to the na-

<sup>1</sup> Cotton, p. 378. Tyrrel, vol. iii. part 2, p. 792, from the records. Parliamentary history, vol. i. p. 473. That this confession was genuine, and obtained without violence, may be entirely depended on. Judge Rickhill, who brought it over from Calais, was tried, on that account, and acquitted in the first parliament of Henry IV. when Gloucester's party was prevalent. His acquittal, notwithstanding his innocence, may even appear marvellous, considering the times. See Cotton, p. 393. <sup>2</sup> Froissard, liv. iv. chap. 90. Walsing. p. 354. <sup>3</sup> Rymer, vol. viii. p. 7. \* See note [E] at the end of the volume.



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tion. Accordingly, the parliament passed whatever acts the king was pleased to dictate to them:<sup>1</sup> they annulled, for ever, the commission which usurped upon the royal authority, and they declared it treasonable to attempt, in any future period, the revival of any similar commission:<sup>2</sup> they abrogated all the acts, which attainted the king's ministers, and which that parliament, who passed them, and the whole nation, had sworn inviolably to maintain: and they declared the general pardon, then granted, to be invalid, as extorted by force, and never ratified by the free consent of the king. Though Richard, after he resumed the government, and lay no longer under constraint, had voluntarily, by proclamation, confirmed that general indemnity; this circumstance seemed not, in their eyes, to merit any consideration. Even a particular pardon, granted six years after, to the earl of Arundel, was annulled, by parliament; on pretence that it had been procured by surprise, and that the king was not then fully apprised of the degree of guilt incurred by that nobleman.

The commons then preferred an impeachment against Fitz-Alan, archbishop of Canterbury, and brother to Arundel, and accused him for his concurrence in procuring the illegal commission, and in attainting the king's ministers. The primate pleaded guilty; but as he was protected by the ecclesiastical privileges, the king was satisfied with a sentence, which banished him the kingdom, and sequestered his temporalities.<sup>3</sup> An appeal, or accusation, was presented against the duke of Gloucester, and the earls of Arundel and Warwick, by the earls of Rutland, Kent, Huntingdon, Somerset, Salisbury and Nottingham, together with the lords Spenser and Scrope, and they were accused of the same crimes which had been imputed to the archbishop, as well as of their appearance, against the king, in a hostile manner, at Haringay-park. The earl of Arundel, who was brought to the bar, wisely confined all his defence to the pleading of both the general and particular pardon of the king: but his plea being overruled, he was condemned and executed.<sup>4</sup> The earl of Warwick, who was also convicted of high treason, was, on account of his submissive behaviour, pardoned as to his life, but doomed to perpetual banishment, in the Isle of Man. No new acts of treason were imputed to either of these noblemen. The only crimes, for which they were condemned, were the old attempts against the crown, which seemed to be obliterated, both by the distance of time, and by repeated pardons.<sup>5</sup> The reasons of this method of proceeding, it is difficult to conjecture. The recent conspiracies of Gloucester

<sup>1</sup> The nobles brought numerous retainers with them, to give them security, as we are told by Walsingham, p. 354. The king had only a few Cheshiremen for his guard. <sup>2</sup> Statutes at Large, 21 Richard II. <sup>3</sup> Cotton, p. 368. <sup>4</sup> Ibid. p. 377. Froissard, liv. iv. chap. 90. Walsing. p. 354. <sup>5</sup> Tyrrel, vol. iii. part 2, p. 968, from the records.

seem certain, from his own confession: but, perhaps, the king and ministry had not, at that time, in their hands, any satisfactory proof of their reality; perhaps, it was difficult to convict Arundel and Warwick of any participation in them; perhaps, an inquiry into these conspiracies, would have involved in the guilt some of those great noblemen who now concurred with the crown, and whom it was necessary to cover from all imputation; or, perhaps, the king, according to the genius of the age, was indifferent about maintaining even the appearance of law and equity, and was only solicitous, by any means, to ensure success in these prosecutions. These points, like many others, in an ancient history, we are obliged to leave altogether undetermined.

A warrant was issued to the earl mareschal, governor of Calais, to bring over the duke of Gloucester, in order to his trial; but the governor returned for answer, that the duke had died, suddenly, of an apoplexy, in that fortress. Nothing could be more suspicious, from the time, than the circumstances of that prince's death: it became immediately the general opinion, that he was murdered, by orders from his nephew: in the subsequent reign, undoubted proofs were produced in parliament, that he had been suffocated with pillows, by his keepers.<sup>1</sup> And it appeared that the king, apprehensive lest the public trial and execution of so popular a prince, and so near a relation, might prove both dangerous and invidious, had taken this base method of gratifying, and, as he fancied, concealing his revenge upon him. Both parties, in their successive triumphs, seem to have had no farther concern than that of retaliating upon their adversaries; and neither of them were aware, that, by imitating, they indirectly justified, as far as it lay in their power, all the illegal violence of the opposite party.

This session concluded with the creation or advancement of several peers: the earl of Derby was made duke of Hereford; the earl of Rutland, duke of Albemarle; the earl of Kent, duke of Surrey; the earl of Huntingdon, duke of Exeter; the earl of Nottingham, duke of Norfolk; the earl of Somerset, marquis of Dorset; lord Spenser, earl of Gloucester; Ralph Nevil, earl of Westmoreland; Thomas Piercy, earl of Worcester; William Scrope, earl of Wiltshire.<sup>2</sup> The parliament, after a session of twelve days, was adjourned to Shrewsbury. The king, before the departure of the members, exacted from them an oath, for the perpetual maintenance and establishment of all their acts; an oath, similar to that which had formerly been required by the duke of Gloucester, and his party, and which had already proved so vain and fruitless.

Both the king and parliament met in the same dispositions, at Shrewsbury. So anxious was Richard for the security of these acts, that he obliged the lords and commons to swear anew to

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<sup>1</sup> Cotton, p. 399, 400. Dugdale, vol. ii. p. 171. <sup>2</sup> Cotton, p. 370, 371.

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them, on the cross of Canterbury;<sup>1</sup> and he soon after procured a bull from the pope, by which they were, as he imagined, perpetually secured and established.<sup>2</sup> The parliament, on the other hand, conferred on him, *for life*, the duties on wool, wool-fells, and leather, and granted him, besides, a subsidy, of one tenth and a half, and one fifteenth and a half. They also reversed the attainder of Tresilian, and the other judges, and, with the approbation of the present judges, declared the answer, for which these magistrates had been impeached, to be just and legal:<sup>3</sup> and they carried so far their retrospect, as to reverse, on the petition of lord Spenser, earl of Gloucester, the attainder pronounced against the two Spensers, in the reign of Edward II.<sup>4</sup> The ancient history of England is nothing but a catalogue of reversals: every thing is in fluctuation and movement: one faction is continually undoing what was established by another: and the multiplied oaths, which each party exacted for the security of the present acts, betray a perpetual consciousness of their instability.

The parliament, before they were dissolved, elected a committee of twelve lords, and six commoners,<sup>5</sup> whom they invested with the whole power both of lords and commons, and endowed with full authority to finish all business which had been laid before the houses, and which they had not leisure to bring to a conclusion.<sup>6</sup> This was an unusual concession; and though it was limited in the object, might, either immediately, or as to precedent, have proved dangerous to the constitution: but the cause of that extraordinary measure was as event singular and unexpected, which engaged the attention of the parliament.

After the destruction of the duke of Gloucester and the heads of that party, a misunderstanding broke out among those noblemen, who had joined in the prosecution; and the king wanted either authority sufficient to appease it, or foresight to prevent it. The duke of Hereford appeared in parliament, and accused the duke of Norfolk of having spoken to him, in private, many slanderous words of the king, and of having imputed to that prince, an intention of subverting and destroying many of his principal nobility.<sup>7</sup> Norfolk denied the charge, gave Hereford the lie, and offered to prove his own innocence, by duel. The challenge was accepted: the time and place of combat were appointed: and, as the event of this important trial by arms,

<sup>1</sup> Cotton, p. 371. <sup>2</sup> Walsing. p. 355. <sup>3</sup> Statutes at Large, 21 Rich. II. <sup>4</sup> Cotton, p. 372. <sup>5</sup> The names of the commissioners were, the dukes of Lancaster, York, Albemarle, Surrey, and Exeter: the marquis of Dorset; the earls of Marche, Salisbury, Northumberland, Gloucester, Winchester, and Wiltshire; John Bussy, Henry Green, John Russel, Robert Teyne, Henry Chelmeswicke, and John Golofre. It is to be remarked, that the duke of Lancaster always concurred with the rest in all their proceedings, even in the banishment of hisson, which was afterwards so much complained of. <sup>6</sup> Cotton, p. 372. Walsing. p. 355. <sup>7</sup> Cotton, p. 372. Parliamentary History, vol. i. p. 490.



might require the interposition of legislative authority, the parliament thought it more suitable to delegate their power, to a committee, than to prolong the session beyond the usual time, which custom, and general convenience, had prescribed to it.<sup>1</sup>

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The duke of Hereford was certainly very little delicate in the point of honour, when he revealed a private conversation to the ruin of the person who had entrusted him; and we may thence be more inclined to believe the duke of Norfolk's denial, than the other's asseveration. But Norfolk had, in these transactions, betrayed an equal neglect of honour, which brings him entirely on a level with his antagonist. Though he had publicly joined with the duke of Gloucester and his party, in all the former acts of violence against the king; and his name stands among the appellants, who accused the duke of Ireland, and the other ministers; yet was he not ashamed, publicly to impeach his former associates, for the very crimes which he had concurred with them in committing; and his name increases the list of those appellants, who brought them to a trial. Such were the principles and practices of those ancient knights and barons during the prevalence of the aristocratical government, and the reign of chivalry.

The lists for this decision of truth and right, were appointed at Coventry before the king: all the nobility of England banded into parties, and adhered either to the one duke or the other: the whole nation was held in suspense with regard to the event: but when the two champions appeared in the field, accoutred for the combat, the king interposed, to prevent both the present effusion of such noble blood, and the future consequences of the quarrel. By the advice and authority of the parliamentary commissioners, he stopped the duel; and, to show his impartiality, he ordered, by the same authority, both the combatants to leave the kingdom;<sup>2</sup> assigning one country for the place of Norfolk's exile, which he declared perpetual; another for that of Hereford, which he limited to ten years.

Hereford was a man of great prudence and command of temper; and he behaved himself with so much submission in these delicate circumstances, that the king, before his departure, promised to shorten the term of his exile four years; and he also granted him letters patent, by which he was empowered, in case any inheritance should, in the interval, accrue to him, to enter immediately in possession, and to postpone the doing of homage till his return.

The weakness and fluctuation of Richard's counsels, appear no where more evident, than in the conduct of this affair. No sooner had Hereford left the kingdom, than the king's jealousy of the power and riches of that prince's family revived; and he

Banishment of  
Henry,  
duke of  
Hereford.

<sup>1</sup> In the first year of Henry VI. when the authority of parliament was great, and when that assembly could least be suspected of lying under violence, a like concession was made to the privy council, from like motives of convenience. See Cotton, p. 564. <sup>2</sup> Cotton, p. 380. Walsingham, p. 356.

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was sensible that, by Gloucester's death, he had only removed a counterpoise to the Lancastrian interest, which was now become formidable to his crown and kingdom. Being informed that Hereford had entered into a treaty of marriage with the daughter of the duke of Berry, uncle to the French king, he determined to prevent the finishing of an alliance, which would so much extend the interest of his cousin in foreign countries; and he sent over the earl of Salisbury to Paris, with a commission for that purpose. The death of the duke of Lancaster, which happened soon after, called upon him to take new resolutions with regard to that opulent succession. The present duke, in consequence of the king's patent, desired to be put in possession of the estate and jurisdiction of his father; but Richard, afraid of strengthening the hands of a man whom he had already so much offended, applied to the parliamentary commissioners, and persuaded them, that this affair was but an appendage to that business which the parliament had delegated to them. By their authority he revoked his letters patent, and retained possession of the estate of Lancaster: and by the same authority he seized and tried the duke's attorney, who had procured and assisted on the letters, and he had him condemned as a traitor, for faithfully executing that trust to his master.<sup>1</sup> An extravagant act of power! even though the king changed, in favour of the attorney, the penalty of death into that of banishment.

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Henry, the new duke of Lancaster, had acquired, by his conduct and abilities, the esteem of the public; and having served, with distinction, against the infidels, in Lithuania, he had joined to his other praises, those of piety and valour, virtues which have, at all times, a great influence over mankind, and were, during those ages, the qualities chiefly held in estimation.<sup>2</sup> He was connected with most of the principal nobility by blood, alliance, or friendship; and as the injury done him by the king might, in its consequences, affect all of them, he easily brought them, by a sense of common interest, to take part in his resentment. The people, who must have an object of affection, who found nothing in the king's person which they could love or revere, and who were even disgusted with many parts of his conduct,<sup>3</sup> easily transferred to Henry that attachment, which the death of the duke of Gloucester had left without any fixed direction. His misfortunes were lamented; the injustice which he

<sup>1</sup> Tyrel, vol. iii. part 2, p. 991, from the records.    <sup>2</sup> Walsingham, p. 343.

<sup>3</sup> He levied fines upon those who had, ten years before, joined the duke of Gloucester and his party: they were obliged to pay him money, before he would allow them to enjoy the benefit of the indemnity; and in the articles of charge against him, it is asserted, that the payment of one fine did not suffice. It is indeed likely, that his ministers would abuse the power put into their hands; and this grievance extended to very many people. Historians agree in representing this practice as a great oppression. See Otterbourne, p. 199.

had suffered was complained of; and all men turned their eyes towards him, as the only person that could retrieve the lost honour of the nation, or redress the supposed abuses in the government.

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While such were the dispositions of the people, Richard had the imprudence to embark for Ireland, in order to revenge the death of his cousin, Roger, earl of Marche, the presumptive heir of the crown; who had lately been slain in a skirmish, by the natives; and he thereby left the kingdom of England open to the attempts of his provoked and ambitious enemy. Henry, 4th July. embarking at Nantz, with a retinue of sixty persons, among whom were the archbishop of Canterbury, and the young earl of Arundel, nephew to that prelate, landed at Ravenspur, in Yorkshire; and was immediately joined by the earls of Northumberland and Westmoreland, two of the most potent barons in England. Here he took a solemn oath, that he had no other purpose in this invasion, than to recover the dutchy of Lancaster, unjustly detained from him; and he invited all his friends in England, and all lovers of their country, to second him in this reasonable and moderate pretension. Every place was in commotion: the malcontents, in all quarters, flew to arms; London discovered the strongest symptoms of its disposition to mutiny and rebellion: and Henry's army, increasing on every day's march, soon amounted to the number of sixty thousand combatants.

Return of  
Henry.

The duke of York was left guardian of the realm; a place to which his birth entitled him, but which, both his slender abilities, and his natural connexions with the duke of Lancaster, rendered him utterly incapable of filling, in such dangerous emergency. Such of the chief nobility as were attached to the crown, and could either have seconded the guardian's good intentions, or have overawed his infidelity, had attended the king into Ireland; and the efforts of Richard's friends were every where more feeble than those of his enemies. The duke of York, however, appointed the rendezvous of his forces at St. Albans, and soon assembled an army of forty thousand men; but found them entirely destitute of zeal and attachment to the royal cause, and more inclined to join the party of the rebels. He hearkened, therefore, very readily, to a message from Henry, who entreated him not to oppose a loyal and humble supplicant in the recovery of his legal patrimony; and the guardian even declared, publicly, that he would second his nephew in so reasonable a request. His army embraced, with acclamations, the same measures; and the duke of Lancaster, reinforced by them, was now entirely master of the kingdom. He hastened to Bristol, into which some of the king's ministers had thrown themselves; and, soon obliging that place to surrender, he yielded to the popular wishes, and without giving them a trial, ordered the earl of Wiltshire, Sir John Bussy, and Sir Henry Green, whom he there took prisoners, to be led to immediate execution.

General  
insurrec-  
tion.



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1st Sept.

The king, receiving intelligence of this invasion and insurrection, hastened over from Ireland, and landed in Milford Haven, with a body of twenty thousand men: but even this army, so much inferior to the enemy, was either overawed by the general combination of the kingdom, or seized with the same spirit of disaffection; and they gradually deserted him, till he found that he had not above six thousand men who followed his standard. It appeared, therefore, necessary to retire secretly from this small body, which served only to expose him to danger; and he fled to the Isle of Anglesea, where he purposed to embark either for Ireland or France, and there await the favourable opportunities which the return of his subjects to a sense of their duty, or their future discontents against the duke of Lancaster, would probably afford him. Henry, sensible of the danger, sent to him the earl of Northumberland, with the strongest professions of loyalty and submission; and that nobleman, by treachery and false oaths, made himself master of the king's person, and carried him to his enemy at Flint Castle. Richard was conducted to London, by the duke of Lancaster, who was there received with the acclamations of the mutinous populace. It is pretended that the recorder met him on the road, and in the name of the city, entreated him, for the public safety, to put Richard to death, with all his adherents who were prisoners;<sup>1</sup> but the duke prudently determined to make many others participate in his guilt, before he would proceed to those extremities. For this purpose, he issued writs of election in the king's name, and appointed the immediate meeting of a parliament at Westminster.

Deposition of the king.

20th Sept.

Such of the peers as were most devoted to the king were either fled or imprisoned; and no opponents, even among the barons, dared to appear against Henry, amidst that scene of outrage and violence, which commonly attends revolutions, especially in England, during those turbulent ages. It is also easy to imagine, that a house of commons, elected during this universal ferment, and this triumph of the Lancastrian party, would be extremely attached to that cause, and ready to second every suggestion of their leaders. That order, being as yet of too little weight to stem the torrent, was always carried along with it, and served only to increase the violence which the public interest required it should endeavour to control. The duke of Lancaster, therefore, sensible that he should be entirely master, began to carry his views to the crown itself; and he deliberated with his partisans, concerning the most proper means of effecting his daring purpose. He first extorted a resignation from Richard;<sup>2</sup> but, as he knew that this deed would plainly appear the result of force and fear, he also purposed, notwithstanding the danger of the precedent to himself and his posterity, to have him solemnly deposed, in parliament, for his pretended tyranny and misconduct. A charge, consisting of thirty-three articles,

<sup>1</sup> Walsingham. <sup>2</sup> Knyghton, p. 2744. Otterbourne, p. 212.

was accordingly drawn up against him, and presented to that assembly.<sup>1</sup>

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If we examine these articles, which are expressed with extreme acrimony against Richard, we shall find that, except some rash speeches, which were imputed to him,<sup>2</sup> and of whose reality, as they are said to have passed in private conversation, we may reasonably entertain some doubt, the chief amount of the charge is contained in his violent conduct during the two last years of his reign, and naturally divides itself into two principal heads. The first, and most considerable, is the revenge which he took on the princes and great barons, who had formerly usurped, and still persevered in controlling and threatening his authority; the second is the violation of the laws, and general privileges of his people. But the former, however irregular in many of its circumstances, was fully supported by authority of parliament, and was but a copy of the violence which the princes and barons themselves, during their former triumph, had exercised against him and his party. The detention of Lancaster's estate was, properly speaking, a revocation, by parliamentary authority, of a grace which the king himself had formerly granted him. The murder of Gloucester, (for the secret execution, however merited, of that prince, certainly deserves this appellation,) was a private deed, formed not any precedent, and implied not any usurped or arbitrary power of the crown, which could justly give umbrage to the people. It really proceeded from a defect of power in the king, rather than from his ambition; and proves, that instead of being dangerous to the constitution, he possessed not even the authority necessary for the execution of the laws.

Concerning the second head of accusation, as it mostly consists of general facts, was framed by Richard's inveterate enemies, and was never allowed to be answered by him, or his friends, it is more difficult to form a judgment. The greater part of these grievances, imputed to Richard, seems to be the exertion of arbitrary prerogatives; such as the dispensing power,<sup>3</sup> levying purveyance,<sup>4</sup> employing the marshal's court,<sup>5</sup> extorting loans,<sup>6</sup> granting protections from lawsuits;<sup>7</sup> prerogatives which, though often complained of, had often been exercised by his predecessors, and still continued to be so, by his successors. But, whether his irregular acts, of this kind, were more frequent, and injudicious, and violent than usual, or were only laid hold of, and exaggerated by the factions, to which the weakness of his reign had given birth, we are not able, at this distance, to determine, with certainty. There is, however, one circumstance, in which his conduct is visibly different from that of his grandfather: he is not accused of having imposed one arbitrary tax, without consent

<sup>1</sup> Tyrrel, vol. iii. part 2, p. 1008, from the records. Knyghton, p. 2746. Otterbourne, p. 214. <sup>2</sup> Art. 16, 26. <sup>3</sup> Art. 13, 17, 18. <sup>4</sup> Art. 22. <sup>5</sup> Art. 27. <sup>6</sup> Art. 14. <sup>7</sup> Art. 16.

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of parliament, during his whole reign:<sup>1</sup> scarcely a year passed, during the reign of Edward, which was free from complaints, with regard to this dangerous exertion of authority. But, perhaps, the ascendant, which Edward had acquired over the people, together with his great prudence, enabled him to make a use, very advantageous to his subjects, of this and other arbitrary prerogatives, and rendered them a smaller grievance in his hands, than a less absolute authority in those of his grandson. This is a point, which it would be rash for us to decide positively on either side; but it is certain, that a charge, drawn up by the duke of Lancaster, and assented to by a parliament, situated on those circumstances, forms no manner of presumption, with regard to the unusual irregularity, or violence of the king's conduct in this particular.\*

When the charge against Richard was presented to the parliament, though it was liable, almost in every article, to objections, it was not canvassed, nor examined, nor disputed, in either house, and seemed to be received with universal approbation. One man, alone, the bishop of Carlisle, had the courage, amidst this general disloyalty and violence, to appear in defence of his unhappy master, and to plead his cause, against all the power of the prevailing party. Though some topics, employed by that virtuous prelate, may seem to favour too much the doctrine of passive obedience, and to make too large a sacrifice of the rights of mankind, he was naturally pushed into that extreme, by his abhorrence of the present licentious factions; and such intrepidity, as well as disinterestedness of behaviour, proves, that whatever his speculative principles were, his heart was elevated far above the meanness and abject submission of a slave. He represented to the parliament, that all the abuses of government, which could justly be imputed to Richard, instead of amounting to tyranny, were merely the result of error, youth, or misguided counsel, and admitted of a remedy more easy and salutary, than a total subversion of the constitution. That, even had they been much more violent and dangerous than they really were, they had chiefly proceeded from former examples of resistance, which, making the prince sensible of his precarious situation, had obliged him to establish his throne by irregular and arbitrary expedients. That a rebellious disposition in subjects was the principal cause of tyranny in kings: laws could never secure the subject, which did not give security to the sovereign: and if the maxim of inviolable loyalty, which formed the basis of the Eng-

<sup>1</sup> We learn from Cotton, p. 362, that the king, by his chancellor, told the commons, *that they were sunderly bound to him, and namely, in forbearing to charge them desmes, and fifteens. the which he meant no more to charge them in his own person.* These words no more allude to the practice of his predecessors: he had not himself imposed arbitrary taxes: even the parliament, in the articles of his deposition, though they complain of heavy taxes, affirm not that they were imposed illegally or by arbitrary will. \* See note [F] at the end of the volume.



lish government, were once rejected, the privileges belonging to the several orders of the state, instead of being fortified by that licentiousness, would thereby lose the surest foundation of their force and stability. That the parliamentary deposition of Edward II. far from making a precedent, which could control this maxim, was only an example of successful violence; and it was sufficiently to be lamented, that crimes were so often committed in the world, without establishing principles, which might justify and authorize them. That even that precedent, false and dangerous as it was, could never warrant the present excesses, which were so much greater, and which would entail distraction and misery on the nation, to the latest posterity. That the succession, at least, of the crown, was then preserved inviolate: the lineal heir was placed on the throne: and the people had an opportunity, by their legal obedience to him, of making atonement for the violence which they had committed against his predecessor. That a descendant of Lionel, duke of Clarence, the elder brother of the late duke of Lancaster, had been declared in parliament successor to the crown: he had left posterity: and their title, however it might be overpowered by present force and faction, could never be obliterated from the minds of the people. That if the turbulent disposition alone of the nation, had overturned the well established throne of so good a prince as Richard: what bloody commotions must ensue, when the same cause was united to the motive, of restoring the legal and undoubted heir to his authority? That the new government, intended to be established, would stand on no principle; and would scarcely retain any pretence, by which it could challenge the obedience of men of sense and virtue. That the claim of lineal descent was so gross as scarcely to deceive the most ignorant of the populace: conquest could never be pleaded by a rebel against his sovereign: the consent of the people, had no authority in a monarchy, not derived from consent, but established by hereditary right; and, however the nation might be justified in deposing the misguided Richard, it could never have any reason for setting aside his lawful heir and successor, who was plainly innocent. And that the duke of Lancaster would give them but a bad specimen of the legal moderation, which might be expected from his future government, if he added to the crime of his past rebellion, the guilt of excluding the family, which, both by right of blood, and by declaration of parliament, would, in case of Richard's demise, or voluntary resignation, have been received as the undoubted heirs of the monarchy.<sup>1</sup>

All the circumstances of this event, compared to those which attended the late revolution in 1688, show the difference between a great and civilized nation, deliberately vindicating its established privileges, and a turbulent and barbarous aristocracy, plunging headlong from the extremes of one faction into those

<sup>1</sup> Sir John Heyward, p. 101.

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of another. This noble freedom of the bishop of Carlisle, instead of being applauded, was not so much as tolerated: he was immediately arrested, by order of the duke of Lancaster, and sent a prisoner to the abbey of St. Albans. No farther debate was attempted: thirty-three long articles of charge were, in one meeting, voted against Richard; and voted unanimously, by the same peers and prelates, who, a little before, had voluntarily and unanimously, authorized those very acts of violence, of which they now complained. That prince was deposed by the suffrages of both houses; and the throne being now vacant, the duke of Lancaster stepped forth, and having crossed himself on the forehead and on the breast, and called upon the name of Christ,<sup>1</sup> he pronounced these words, which we shall give in the original language, because of their singularity:

*In the name of the Fadher, Son, and Holy Ghost, I, Henry of Lancaster, challenge this rewme of Ynglande, and the croun, with all membres and the appurtenances; als I, that am descendit, by right line of the blode, coming fro the gude king Henry therde, and throge that right, that God, of his grace, hath sent me, with helpe of kyn, and of my frendes, to recover it; the which reume, was in poynt to be ondene, by defaut of governance, and undoing of the gude lawes.*<sup>2</sup>

In order to understand this speech, it must be observed, that there was a silly story, received among some of the lowest vulgar, that Edmond, earl of Lancaster, son of Henry III. was really the elder brother of Edward I. but that, by reason of some deformity in his person, he had been postponed in the succession, and his younger brother imposed on the nation, in his stead. As the present duke of Lancaster inherited from Edmond, by his mother, this genealogy made him the true heir of the monarchy; and it is, therefore, insinuated in Henry's speech: but, the absurdity was too gross to be openly avowed, either by him or by the parliament. The case is the same with regard to his right of conquest: he was a subject who rebelled against his sovereign: he entered the kingdom with a retinue, of no more than sixty persons: he could not, therefore, be the conqueror of England; and this right is accordingly insinuated, not avowed. Still there is a third claim, derived from his merits, in saving the nation from tyranny and oppression; and this claim is also insinuated: but, as it seemed, by its nature, better calculated as a reason for his being *elected* king by a free choice, than for giving him an immediate right of possession, he durst not speak openly, even on this head: and to obviate any notion of election, he challenges the crown as his due, either by acquisition or inheritance. The whole forms such a piece of jargon and nonsense, as is almost without example: no objection, however, was made to it in parliament: the unanimous voice of lords and commons placed Henry on the throne; he became king, nobody could tell

<sup>1</sup> Cotton, p. 389.    <sup>2</sup> Knyghton, p. 2757.

how or wherefore : the title of the house of Marche, formerly recognised by parliament, was neither invalidated nor repealed; but passed over in total silence : and as a concern, for the liberties of the people, seems to have had no hand in this revolution, their right to dispose of the government, as well as all their other privileges, was left precisely on the same footing as before. But Henry having, when he claimed the crown, dropped some obscure hint concerning conquest, which, it was thought, might endanger these privileges, he soon after made a public declaration, that he did not thereby intend to deprive any one of his franchises or liberties :<sup>1</sup> which was the only circumstance, where we shall find meaning or common sense, in all these transactions.

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The subsequent events, discover the same headlong violence of conduct, and the same rude notions of civil government. The deposition of Richard dissolved the parliament : it was necessary to summon a new one : and Henry, in six days after, called together, without any new election, the same members; and this assembly he denominated a new parliament. They were employed in the usual task, of reversing every deed of the opposite party. All the acts of the last parliament of Richard, which had been confirmed by their oaths, and by a papal bull, were abrogated : all the acts, which had passed in parliament, where Gloucester prevailed, which had, also, been confirmed by their oaths, but which had been abrogated by Richard were anew established.<sup>2</sup> The answer of Tresilian, and the other judges, which a parliament had annulled, but which a new parliament and new judges had approved, here received a second condemnation. The peers who had accused Gloucester, Arundel, and Warwick, and who had received higher titles for that piece of service, were all of them degraded from their new dignities : even the practice of prosecuting appeals in parliament, which bore the air of a violent confederacy against an individual, rather than of a legal indictment, was wholly abolished; and trials were restored to the course of common law.<sup>3</sup> The natural effect of this conduct, was to render people giddy with such rapid and perpetual changes, and to make them lose all notions of right and wrong, in the measures of government.

The earl of Northumberland made a motion, in the house of peers, with regard to the unhappy prince, whom they had deposed. He asked them, what advice they would give the king, for the future treatment of him; since Henry was resolved to spare his life? They unanimously replied, that he should be imprisoned, under a secure guard, in some secret place, and should be deprived of all commerce with any of his friends or partisans. It was easy to foresee, that he would not long remain alive, in the hands of such barbarous and sanguinary enemies. Historians

<sup>1</sup> Knyghton, p. 2759. Otterbourne, p. 220. <sup>2</sup> Cotton, p. 390. <sup>3</sup> Henry IV. cap. 14.

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differ, with regard to the manner in which he was murdered. It was long the prevailing opinion, that Sir Piers Exton, and others of his guards, fell upon him in the castle of Pomfret, where he was confined, and despatched him with their halberts. But it is more probable, that he was starved to death, in prison: and after all sustenance was denied him, he prolonged his unhappy life, it is said, for a fortnight, before he reached the end of his miseries. This account is more consistent with the story, that his body was exposed in public; and that no marks of violence were observed upon it. He died in the thirty-fourth year of his age, and the twenty-third of his reign. He left no posterity, either legitimate or illegitimate.

All the writers, who have transmitted to us the history of Richard, lived during the reigns of the Lancastrian princes; and candour requires, that we should not give entire credit to the reproaches, which they have thrown upon his memory. But, after making all proper allowances, he still appears to have been a weak prince, and unfit for government, less for want of natural parts and capacity, than of solid judgment and a good education. He was violent in his temper; profuse in his expense; fond of idle show and magnificence; devoted to favourites; and addicted to pleasure: passions, all of them, the most inconsistent with a prudent economy, and consequently dangerous, in a limited and mixed government. Had he possessed the talents of gaining, and still more those of overawing, his great barons, he might have escaped all the misfortunes of his reign, and been allowed to carry much farther his oppressions over the people, if he really was guilty of any, without their daring to rebel, or even to murmur against him. But, when the grandees were tempted, by his want of prudence, and of vigour, to resist his authority, and execute the most violent enterprises upon him, he was naturally led to seek an opportunity of retaliation; justice was neglected: the lives of the chief nobility were sacrificed; and all these enormities seem to have proceeded, less from a settled design of establishing arbitrary power, than from the insolence of victory, and the necessities of the king's situation. The manners, indeed, of the age, were the chief source of such violence: laws, which were feebly executed, in peaceable times, lost all their authority, during public convulsions: both parties were alike guilty: or if any difference may be remarked between them, we shall find, that the authority of the crown, being more legal, was commonly carried, when it prevailed, to less desperate extremities, than was that of the aristocracy.

On comparing the conduct and events of this reign, with those of the preceding, we shall find equal reason to admire Edward and to blame Richard; but the circumstance of opposition, surely, will not lie in the strict regard paid, by the former, to national privileges, and the neglect of them by the latter. On the contrary, the prince of small abilities, as he felt his want of power, seems to have been more moderate, in this respect, than the

other. Every parliament, assembled during the reign of Edward, remonstrates against the exertion of some arbitrary prerogative or other: we hear not any complaints of that kind, during the reign of Richard, till the assembling of this last parliament, which was summoned by his inveterate enemies, which dethroned him, which framed their complaints, during the time of the most furious convulsions, and whose testimony must therefore have, on that account, much less authority with every equitable judge.<sup>1</sup> Both these princes experienced the encroachments of the great, upon their authority. Edward, reduced to necessities, was obliged to make an express bargain with his parliament, and to sell some of his prerogatives, for present supply; but as they were acquainted with his genius and capacity, they ventured not to demand any exorbitant concessions, or such as were incompatible with regal and sovereign power: the weakness of Richard, tempted the parliament to extort a commission, which, in a manner, dethroned the prince, and transferred the sceptre into the hands of the nobility. The events of these encroachments were, also, suitable to the character of each. Edward had no sooner gotten the supply, than he departed from the engagements which had induced the parliament to grant it; he openly told his people, that he had but *dissembled* with them, when he seemed to make them these concessions; and he resumed and retained all his prerogatives. But Richard, because he was detected in consulting and deliberating with the judges, on the lawfulness of restoring the constitution, found his barons immediately in arms against him; was deprived of his liberty; saw his favourites, his ministers, his tutor, butchered before his face, or banished and attainted; and was obliged to give way to all this violence. There cannot be a more remarkable contrast between the fortunes of two princes: it were happy for society, did this contrast always depend on the justice or injustice of the measures which men embrace; and not rather on the different degrees of prudence and vigour, with which those measures are supported.

There was a sensible decay of ecclesiastical authority, during this period. The disgust, which the laity had received, from the numerous usurpations, both of the court of Rome, and of their own clergy, had very much weaned the kingdom from superstition; and strong symptoms appeared, from time to time, of a general desire to shake off the bondage of the Romish church. In the committee of eighteen, to whom Richard's last parliament delegated their whole power, there is not the name of one ecclesiastic to be found; a neglect, which is almost without example, while the Catholic religion subsisted in England.\*

Miscellaneous transactions during this reign.

The aversion entertained against the established church, soon found principles, and tenets, and reasonings, by which it could

<sup>1</sup> Peruse, in this view, the abridgement of the records, by Sir Robert Cotton, during these two reigns. \* See note [G] at the end of the volume.

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justify and support itself. John Wickliffe, a secular priest, educated at Oxford, began, in the latter end of Edward III. to spread the doctrine of reformation, by his discourses, sermons, and writings; and he made many disciples among men, of all ranks and stations. He seems to have been a man of parts and learning; and has the honour of being the first person, in Europe, that publicly called in question those principles, which had universally passed for certain and undisputed, during so many ages. Wickliffe himself, as well as his disciples, who received the name of Wickliffites, or Lollards, was distinguished by a great austerity of life and manners; a circumstance common to almost all those who dogmatize in any new way; both because men, who draw to them the attention of the public, and expose themselves to the odium of great multitudes, are obliged to be guarded in their conduct; and, because few, who have a strong propensity to pleasure or business, will enter upon so difficult and laborious an undertaking. The doctrines of Wickliffe, being derived from his search into the Scriptures, and into ecclesiastical antiquity, were nearly the same with those which were propagated by the reformers in the sixteenth century: he only carried some of them farther than was done by the more sober part of these reformers. He denied the doctrine of the real presence, the supremacy of the church of Rome, the merit of monastic vows: he maintained, that the Scriptures were the sole rule of faith; that the church was dependent on the state, and should be reformed by it; that the clergy ought to possess no estates; that the begging friars were a nuisance, and ought not to be supported;<sup>1</sup> that the numerous ceremonies of the church were hurtful to true piety; he asserted, that oaths were unlawful; that dominion was founded in grace; that every thing was subject to fate and destiny; and, that all men were preordained, either to eternal salvation, or reprobation.<sup>2</sup> From the whole of his doctrines, Wickliffe appears to have been strongly tinctured with enthusiasm, and to have been, thereby, the better qualified to oppose a church, whose chief characteristic is superstition.

The propagation of these principles gave great alarm to the clergy; and a bull was issued, by pope Gregory XI. for taking Wickliffe into custody, and examining into the scope of his opinions.<sup>3</sup> Courteney, bishop of London, cited him before his tribunal; but the reformer had now acquired powerful protectors, who screened him from the ecclesiastical jurisdiction. The duke of Lancaster, who then governed the kingdom, encouraged the principles of Wickliffe; and he made no scruple, as well as lord Piercy, the mareschal, to appear openly in court with him, in order to give him countenance upon his trial: he even insisted, that Wickliffe should sit, in the bishop's presence, while his prin-

<sup>1</sup> Walsing. p. 191, 208, 283, 284. Spel. Conc. vol. ii. p. 630. Knyghton, p. 2657. <sup>2</sup> Harpsfield, p. 668, 673, 674. Waldens. tom. i. lib. 3, art. i. cap. 8. <sup>3</sup> Spel. Conc. vol. ii. p. 621. Walsing. p. 201, 202, 203.



ciples were examined: Courteney exclaimed against the insult: the Londoners, thinking their prelate affronted, attacked the duke and mareschal, who escaped from their hands with some difficulty.<sup>1</sup> And the populace, soon after, broke into the houses of both these noblemen, threatened their persons, and plundered their goods. The bishop of London had the merit of appeasing their fury and resentment.

The duke of Lancaster, however, still continued his protection to Wickliffe, during the minority of Richard; and the principles of that reformer had so far propagated themselves, that when the pope sent to Oxford a new bull against these doctrines, the university deliberated, for some time, whether they should receive the bull; and they never took any vigorous measures, in consequence of the papal orders.<sup>2</sup> Even the populace of London were, at length, brought to entertain favourable sentiments of this reformer: when he was cited before a synod, at Lambeth, they broke into the assembly, and so overawed the prelates, who found both the people and the court against them, that they dismissed him, without any farther censure.

The clergy, we may well believe, were more wanting in power, than in inclination, to punish this new heresy, which struck at all their credit, possessions, and authority. But there was, hitherto, no law, in England, by which the secular arm was authorized to support orthodoxy; and the ecclesiastics endeavoured to supply the defect, by an extraordinary and unwarrantable artifice. In the year 1381, there was an act passed, requiring sheriffs to apprehend the preachers of heresy, and their abettors; but this statute had been surreptitiously obtained by the clergy, and had the formality of an enrolment, without the consent of the commons. In the subsequent session, the lower house complained of fraud; affirmed that they had no intention to bind themselves to the prelates, farther than their ancestors had done before them; and required that the pretended statute should be repealed; which was done accordingly.<sup>3</sup> But it is remarkable that, notwithstanding this vigilance of the commons, the clergy had so much art and influence, that the repeal was suppressed; and the act, which never had any legal authority, remains, this day, upon the statute-book;<sup>4</sup> though the clergy still thought proper to keep it in reserve, and not proceed to the immediate execution of it.

But, besides this defect of power in the church,\* which saved Wickliffe, that reformer himself, notwithstanding his enthusiasm, seems not to have been actuated by the spirit of martyrdom; and, in all subsequent trials before the prelate, he so explained away his doctrine, by tortured meanings, as to render it quite innocent and inoffensive.<sup>5</sup> Most of his followers imitated his cautious disposition, and saved themselves, either by recantations or expla-

<sup>1</sup> Harpsfield, in Hist. Wickl. p. 683. <sup>2</sup> Wood's Ant. Oxon. lib. i. p. 191, &c. Walsing. p. 201. <sup>3</sup> Cotton's Abridg. p. 285. <sup>4</sup> 5 Rich. II. cap. 5. <sup>5</sup> Walsing. p. 206. Knyghton, p. 2655, 2656.

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nations. He died of a palsy, in the year 1385, at his rectory of Lutterworth, in the county of Leicester; and the clergy, mortified that he should have escaped their vengeance, took care, besides assuring the people of his eternal damnation, to represent his last distemper as a visible judgment of Heaven upon him, for his multiplied heresies and impieties.<sup>1</sup>

The proselytes, however, of Wickliffe's opinions, still increased in England:<sup>2</sup> some monkish writers represent one half of the kingdom as infected by those principles: they were carried over to Bohemia, by some youth of that nation, who studied at Oxford: but, though the age seemed strongly disposed to receive them, affairs were not fully ripe for this great revolution; and the finishing blow to ecclesiastical power was reserved to a period of more curiosity, literature, and inclination for novelties.

Meanwhile, the English parliament continued to check the clergy and the court of Rome, by more sober and more legal expedients. They enacted, anew, the statute of *provisors*, and affixed higher penalties to the transgression of it, which, in some instances, was even made capital.<sup>3</sup> The court of Rome had fallen upon a new device, which increased their authority over the prelates: the pope, who found that the expedient of arbitrarily depriving them was violent, and liable to opposition, attained the same end, by transferring such of them as were obnoxious to poorer sees, and even to nominal sees, in *partibus infidelium*. It was thus that the archbishop of York, and the bishops of Durham and Chichester, the king's ministers, had been treated, after the prevalence of Gloucester's faction: the bishop of Carlisle met with the same fate, after the accession of Henry IV.; for the pope always joined with the prevailing powers, when they did not thwart his pretensions. The parliament, in the reign of Richard, enacted a law against this abuse: and the king made a general remonstrance to the court of Rome, against all those usurpations, which he calls *horrible excesses* of that court.<sup>4</sup>

It was usual for the church, that they might elude the mortmain act, to make their votaries leave lands, in trust, to certain persons, under whose name the clergy enjoyed the benefit of the bequest: the parliament also stopped the progress of this abuse.<sup>5</sup> In the 17th of the king, the commons prayed, *that remedy might be had against such religious persons as cause their villains to marry free women inheritable, whereby the estate comes to those religious hands by collusion*.<sup>6</sup> This was a new device by the clergy.

The papacy was, at this time, somewhat weakened by a schism, which lasted during forty years, and gave great scandal to the devoted partisans of the holy see. After the pope had resided many years at Avignon, Gregory XI. was persuaded to return

<sup>1</sup> Walsing. p. 312. Ypod. Neust. p. 337. <sup>2</sup> Knyghton, p. 2663. <sup>3</sup> 13 Rich. II. cap. 3. 16 Rich. II. cap. 4. <sup>4</sup> Rymer, vol. vii. p. 672. <sup>5</sup> Knyghton, p. 27, 38. <sup>6</sup> Cotton, p. 355.

to Rome; and, upon his death, which happened in 1380, the Romans, resolute to fix, for the future, the seat of the papacy in Italy, besieged the cardinals, in the conclave, and compelled them, though they were mostly Frenchmen, to elect Urban VI. an Italian, into that high dignity. The French cardinals, as soon as they recovered their liberty, fled from Rome, and, protesting against the forced election, chose Robert, son of the count of Geneva, who took the name of Clement VII. and resided at Avignon. All the kingdoms of Christendom, according to the several interests and inclinations, were divided between these two pontiffs. The court of France adhered to Clement, and was followed by its allies, the king of Castile and the king of Scotland: England, of course, was thrown into the other party, and declared for Urban. Thus the appellation of *Clementines* and *Urbanists*, distracted Europe for several years; and each party damned the other, as schismatics, and as rebels to the true vicar of Christ. But this circumstance, though it weakened the papal authority, had not so great an effect as might naturally be imagined. Though any king could easily, at first, make his kingdom embrace the party of one pope or the other, or even keep it some time in suspense between them, he could not so easily transfer his obedience at pleasure: the people attached themselves to their own party, as to a religious opinion; and conceived an extreme abhorrence to the opposite party, whom they regarded as little better than Saracens or infidels. Crusades were even undertaken in this quarrel; and the zealous bishop of Norwich, in particular, led over, in 1382, near sixty thousand bigots into Flanders, against the Clementines; but after losing a great part of his followers he returned, with disgrace, into England.<sup>1</sup> Each pope, sensible, from this prevailing spirit among the people, that the kingdom which once embraced his cause would always adhere to him, boldly maintained all the pretensions of his see, and stood not much more in awe of the temporal sovereigns, than if his authority had not been endangered by a rival.

We meet with this preamble to a law, enacted at the very beginning of this reign: "Whereas, divers persons, of small gar-  
"rison of land, or other possessions, do make great retinue of peo-  
"ple, as well of esquires as of others, in many parts of the realm,  
"giving to them hats and other livery of one suit by year, taking  
"again towards them the value of the same livery, or percase the  
"double value, by such covenant and assurance that every of  
"them shall maintain other in all quarrels, be they reasonable  
"or unreasonable, to the great mischief and oppression of the  
"people, &c."<sup>2</sup> This preamble contains a true picture of the state of the kingdom. The laws had been so feebly executed, even during the long, active, and vigilant reign of Edward III. that no subject could trust to their protection. Men openly as-

<sup>1</sup> Froissard, lib. ii. chap. 133, 134. Walsing. p. 298, 299, 300, &c. Knyghton, p. 2671. <sup>2</sup> 1 Richard II. chap. 7.

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sociated themselves, under the patronage of some great baron, for their mutual defence. They wore public badges, by which their confederacy was distinguished. They supported each other in all quarrels, iniquities, extortions, murders, robberies, and other crimes. Their chief was more their sovereign than the king himself; and their own band was more connected with them than their country. Hence the perpetual turbulence, disorders, factions, and civil wars of those times: hence the small regard paid to a character, or the opinion of the public: hence the large discretionary prerogatives of the crown, and the danger which might have ensued from the too great limitation of them. If the king had possessed no arbitrary powers, while all the nobles assumed and exercised them, there must have ensued an absolute anarchy in the state.

One great mischief attending these confederacies, was the extorting from the king pardons for the most enormous crimes. The parliament often endeavoured, in the last reign, to deprive the prince of this prerogative; but, in the present, they were content with an abridgement of it. They enacted, that no pardon for rapes, or for murder, from malice prepense, should be valid, unless the crime were particularly specified in it.<sup>1</sup> There were, also, some other circumstances required, for passing any pardon of this kind: an excellent law; but ill observed, like most laws that thwart the manners of the people, and the prevailing customs of the times.

It is easy to observe, from these voluntary associations among the people, that the whole force of the feudal system was, in a manner, dissolved, and that the English had nearly returned, in that particular, to the same situation in which they stood before the Norman conquest. It was, indeed, impossible that that system could long subsist, under the perpetual revolutions to which landed property is every where subject. When the great feudal baronies were first erected, the lord lived in opulence in the midst of his vassals: he was in a situation to protect and cherish, and defend them: the quality of patron, naturally united itself to that of superior: and these two principles of authority mutually supported each other. But when, by the various divisions and mixtures of property, a man's superior came to live at a distance from him, and could no longer give him shelter or countenance, the tie gradually became more fictitious than real; new connexions, from vicinity, or other causes, were formed: protection was sought, by voluntary services and attachment: the appearance of valour, spirit, abilities, in any great man, extended his interest very far: and if the sovereign were deficient in these qualities, he was no less, if not more, exposed to the usurpations of the aristocracy, than even during the vigour of the feudal system.

<sup>1</sup> 13 Richard II. chap. 1.



The greatest novelty introduced into the civil government during this reign, was the creation of peers by patent. Lord Beauchamp, of Holt, was the first peer that was advanced to the house of lords in this manner. The practice of levying benevolences is, also, first mentioned in the present reign.

This prince lived in a more magnificent manner than, perhaps, any of his predecessors or successors. His household consisted of ten thousand persons: he had three hundred in his kitchen; and all the other offices were furnished in proportion.<sup>1</sup> It must be remarked, that this enormous train had tables supplied them at the king's expense, according to the mode of that age. Such prodigality was probably the source of many exactions by purveyors, and was one chief reason of the public discontents.

<sup>1</sup> Harding: this poet says, that he speaks from the authority of a clerk of the green cloth.

## CHAPTER XVIII.

## HENRY IV.

Title of the King—An Insurrection—An Insurrection in Wales—The Earl of Northumberland Rebels—Battle of Shrewsbury—State of Scotland—Parliamentary Transactions—Death—and Character of the King.

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THE English had so long been familiarized to the hereditary succession of their monarchs, the instances of departure from it had always borne such strong symptoms of injustice and violence, and so little of a national choice or election, and the returns to the true line had ever been deemed such fortunate incidents in their history, that Henry was afraid lest, in resting his title on the consent of the people, he should build on a foundation to which the people themselves were not accustomed, and whose solidity they would, with difficulty, be brought to recognise. The idea, too, of choice, seemed always to imply that of conditions, and a right of recalling the consent upon any supposed violation of them; an idea which was not naturally agreeable to a sovereign, and might, in England, be dangerous to the subjects, who, lying so much under the influence of turbulent nobles, had ever paid but an imperfect obedience, even to their hereditary princes. For these reasons, Henry was determined never to have recourse to this claim; the only one on which his authority could consistently stand: he rather chose to patch up his title, in the best manner he could, from other pretensions: and, in the end, he left himself, in the eyes of men of sense, no ground of right, but his present possession; a very precarious foundation, which, by its very nature, was liable to be overthrown by every faction of the great, or prejudice of the people. He had, indeed, a present advantage over his competitor: the heir of the house of Mortimer, who had been declared in parliament heir to the crown, was a boy of seven years of age:<sup>1</sup> his friends consulted his safety, by keeping silence with regard to his title: Henry detained him and his younger brother in honourable custody, at Windsor castle: but he had reason to dread, that, in proportion as that nobleman grew to man's estate, he would draw to him the attachment of the people, and make them reflect on the fraud, violence and injustice, by which he had been excluded from the throne. Many favourable topics would occur in his behalf: he was a native of England; possessed an extensive interest from the greatness and alliances of his family; however criminal the deposed monarch, this youth was entirely innocent; he was of the same religion, and educated in the same manners with the people, and could not be governed by any separate interest: these views would all concur to favour his claim; and, though the abi-

<sup>1</sup> Dugdale, vol. i. p. 151.

lities of the present prince might ward off any dangerous revolution, it was justly to be apprehended, that his authority could, with difficulty, be brought to equal that of his predecessors.

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Henry, in his very first parliament, had reason to see the danger attending that station which he had assumed, and the obstacles which he would meet with in governing an unruly aristocracy, always divided by faction, and at present inflamed with the resentment consequent on such recent convulsions. The peers, on their assembling, broke out into violent animosities against each other; forty gauntlets, the pledges of furious battle, were thrown on the floor of the house, by noblemen who gave mutual challenges; and *liar* and *traitor* resounded from all quarters. The king had so much authority with these doughty champions, as to prevent all the combats which they threatened: but he was not able to bring them to a proper composure, or to an amicable disposition towards each other. It was long before these passions broke into action. The earls of Rutland, Kent, and Huntingdon, and lord Spenser, who were now degraded from the respective titles of Albemarle, Surrey, Exeter, and Gloucester, conferred on them by Richard, entered into a conspiracy, together with the earl of Salisbury and lord Lumley, for raising an insurrection, and for seizing the king's person at Windsor;<sup>1</sup> but the treachery of Rutland gave him warning of the danger. He suddenly withdrew to London; and the conspirators, who came to Windsor, with a body of five hundred horse, found that they had missed this blow, on which all the success of their enterprise depended. Henry appeared, next day, at Kingston, upon Thames, at the head of twenty thousand men, mostly drawn from the city; and his enemies, unable to resist his power, dispersed themselves, with a view of raising their followers in the several counties which were the seat of their interest. But the adherents of the king were hot in the pursuit, and every where opposed themselves to their progress. The earls of Kent and Salisbury were seized at Cirencester by the citizens; and were next day beheaded, without farther ceremony, according to the custom of the times.<sup>2</sup> The citizens of Bristol treated Spenser and Lumley in the same manner. The earl of Huntingdon, Sir Thomas Blount, and Sir Benedict Sely, who were also taken prisoners, suffered death, with many others of the conspirators, by orders from Henry. And when the quarters of these unhappy men were brought to London, no less than eighteen bishops, and thirty-two mitred abbots, joined the populace, and met them with the most indecent marks of joy and exultation.

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But the spectacle, the most shocking to every one who retained any sentiment, either of honour or humanity, still remained. The earl of Rutland appeared, carrying on a pole the head of lord Spenser, his brother-in-law, which he presented, in triumph,

<sup>1</sup> Walsingham, p. 362. Otterbourne, p. 224. <sup>2</sup> Walsingham, p. 363. Ypod. Neust. p. 556.

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to Henry, as a testimony of his loyalty. This infamous man, who was, soon after, duke of York, by the death of his father, and first prince of the blood, had been instrumental in the murder of his uncle, the duke of Gloucester;<sup>1</sup> had then deserted Richard, by whom he was trusted; had conspired against the life of Henry, to whom he had sworn allegiance; had betrayed his associates, whom he had seduced into this enterprise; and now displayed, in the face of the world, these badges of his multiplied dishonour.

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Henry was sensible, that though the execution of these conspirators might seem to give security to his throne, the animosities which remain, after such bloody scenes, are always dangerous to royal authority; and he, therefore, determined not to increase, by any hazardous enterprise, those numerous enemies, with whom he was every where environed. While a subject, he was believed to have strongly imbibed all the principles of his father, the duke of Lancaster, and to have adopted the prejudices which the Lollards inspired against the abuses of the established church: but, finding himself possessed of the throne, by so precarious a title, he thought superstition a necessary implement of public authority; and he resolved, by every expedient, to pay court to the clergy. There were, hitherto, no penal laws enacted against heresy; an indulgence which had proceeded, not from a spirit of toleration in the Romish church, but from the ignorance and simplicity of the people, which had rendered them unfit, either for starting or receiving any new or curious doctrines, and which needed not to be restrained by rigorous penalties. But when the learning and genius of Wickliffe had once broken, in some measure, the fetters of prejudice, the ecclesiastics called aloud for the punishment of his disciples; and the king, who was very little scrupulous in his conduct, was easily induced to sacrifice his principles to his interest, and to acquire the favour of the church, by that most effectual method, the gratifying of their vengeance against opponents. He engaged the parliament to pass a law for that purpose: it was enacted, that when any heretic, who relapsed, or refused to abjure his opinions, was delivered over to the secular arm, by the bishop or his commissaries, he should be committed to the flames, by the civil magistrate, before the whole people.<sup>2</sup> This weapon did not long remain unemployed in the hands of the clergy: William Sautre, rector of St. Osithes, in London, had been condemned, by the convocation of Canterbury; his sentence was ratified by the house of peers; the king issued his writ for the execution;<sup>3</sup> and the unhappy man atoned for his erroneous opinions, by the penalty of fire. This is the first instance, of that kind, in England; and thus one horror more was added to those dismal scenes, which, at that time, were already but too familiar to the people.

<sup>1</sup> Dugdale, vol. ii. p. 171.    <sup>2</sup> 2 Henry IV. chap. 7.    <sup>3</sup> Rymer, vol. viii. p. 178.



But the utmost precaution and prudence of Henry, could not shield him from those numerous inquietudes which assailed him from every quarter. The connexions of Richard with the royal family of France, made that court exert its activity to recover his authority, or revenge his death;<sup>1</sup> but though the confusions in England tempted the French to engage in some enterprise, by which they might distress their ancient enemy, the greater confusions, which they experienced at home, obliged them quickly to accommodate matters; and Charles, content with recovering his daughter from Henry's hands, laid aside his preparations, and renewed the truce between the kingdoms.<sup>2</sup> The attack of Guienne was also an inviting attempt, which the present factions, that prevailed among the French, obliged them to neglect. The Gascons, affectionate to the memory of Richard, who was born among them, refused to swear allegiance to a prince that had dethroned and murdered him; and the appearance of a French army, on their frontiers, would, probably, have tempted them to change masters.<sup>3</sup> But the earl of Worcester, arriving with some English troops, gave countenance to the partisans of Henry, and overawed their opponents. Religion, too, was here found a cement to their union with England. The Gascons had been engaged, by Richard's authority, to acknowledge the pope of Rome: and they were sensible that, if they submitted to France, it would be necessary for them to pay obedience to the pope of Avignon, whom they had been taught to detest, as a schismatic. Their principles, on this head, were too fast rooted to admit of any sudden or violent alteration.

The revolution, in England, proved likewise the occasion of an insurrection in Wales. Owen Glendour, or Glendourduy, descended from the ancient princes of that country, had become obnoxious, on account of his attachment to Richard; and Reginald, lord Gray, of Ruthyn, who was closely connected with the new king, and who enjoyed a great fortune, in the marches of Wales, thought the opportunity favourable, for oppressing his neighbour, and taking possession of his estate.<sup>4</sup> Glendour, provoked at the injustice, and still more at the indignity, recovered possession, by the sword:<sup>5</sup> Henry sent assistance to Gray;<sup>6</sup> the Welch took part with Glendour: a troublesome and tedious war was kindled, which Glendour long sustained, by his valour and activity, aided by the natural strength of the country, and the untamed spirit of its inhabitants.

As Glendour committed devastations, promiscuously, on all the English, he infested the estate of the earl of Marche; and Sir Edmund Mortimer, uncle to that nobleman, led out the retainers of the family, and gave battle to the Welch chieftain:

<sup>1</sup> Ibid. p. 123. <sup>2</sup> Ibid. p. 142, 152, 219. <sup>3</sup> Ibid. p. 110, 111. <sup>4</sup> Vita Ric. Sec. p. 171, 172. <sup>5</sup> Walsingham, p. 364. <sup>6</sup> Vita Ric. Sec. p. 172, 173.

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 XVIII. time, the earl himself, who had been allowed to retire to his  
 1401. castle, of Wigmore, and who, though a mere boy, took the field,  
 with his followers, fell also into Glendour's hands, and was carried by him into Wales.<sup>2</sup> As Henry dreaded and hated all the family of Marche, he allowed the earl to remain in captivity; and, though that young nobleman was nearly allied to the Piercies, to whose assistance he himself had owed his crown, he refused, to the earl of Northumberland, permission to treat of his ransom, with Glendour.

The uncertainty in which Henry's affairs stood, during a long time, with France, as well as the confusions, incident to all great changes in government, tempted the Scots to make incursions into England, and Henry, desirous of taking revenge upon them, but, afraid of rendering his new government unpopular, by requiring great supplies from his subjects, summoned, at Westminster, a council of the peers, without the commons, and laid before them the state of his affairs.<sup>3</sup> The military part of the feudal constitution was now much decayed: there remained only so much of that fabric as affected the civil rights and properties of men: and the peers here undertook, but voluntarily, to attend the king, in an expedition against Scotland, each of them at the head of a certain number of his retainers.<sup>4</sup> Henry conducted this army to Edinburgh, of which he easily made himself master; and he there summoned Robert III. to do homage to him for his crown.<sup>5</sup> But, finding that the Scots would neither submit, nor give him battle, he returned, in three weeks, after making this useless bravado; and he disbanded his army.

1402. In the subsequent season, Archibald, earl of Douglas, at the head of twelve thousand men, and attended by many of the principal nobility of Scotland, made an irruption into England, and committed devastations on the northern counties. On his return home, he was overtaken, by the Piercies, at Homeldon, on the borders of England, and a fierce battle ensued, where the Scots were totally routed. Douglas himself was taken prisoner, as was Mordac, earl of Fife, son of the duke of Albany, and nephew of the Scottish king, with the earls of Angus, Murray, and Orkney, and many others of the gentry and nobility.<sup>6</sup> When Henry received intelligence of this victory, he sent the earl of Northumberland orders not to ransom his prisoners, which that nobleman regarded as his right, by the laws of war, received in that age. The king intended to detain them, that he might be able, by their means, to make an advantageous peace with Scotland; but, by this policy, he gave a fresh disgust to the family of Piercy.

The obligations which Henry had owed to Northumberland,

<sup>1</sup> Dugdale, vol. i. p. 150. <sup>2</sup> Ibid. p. 151. <sup>3</sup> Rymer, vol. viii. p. 125, 126.  
<sup>4</sup> Ibid. p. 125. <sup>5</sup> Ibid. p. 155, 156, &c. <sup>6</sup> Walsingham, p. 366. Vita Ric. Sec. p. 180. Chron. Otterbourne, p. 237.

were of a kind the most likely to produce ingratitude on one side, and discontent on the other. The sovereign naturally became jealous of that power which had advanced him to the throne: and the subject was not easily satisfied in the returns which he thought so great a favour had merited. Though Henry, on his accession, had bestowed the office of constable on Northumberland, for life,<sup>1</sup> and conferred other gifts on that family, these favours were regarded as their due; the refusal of any other request was deemed an injury. The impatient spirit of Harry Piercy, and the factious disposition of the earl of Worcester, younger brother of Northumberland, inflamed the discontents of that nobleman: and the precarious title of Henry, tempted him to seek revenge, by overturning that throne which he had at first established. He entered into a correspondence with Glendour. He gave liberty to the earl of Douglas, and made an alliance with that martial chief: he roused up all his partisans to arms; and such unlimited authority, at that time, belonged to the great families, that the same men, whom a few years before, he had conducted against Richard, now followed his standard, in opposition to Henry. When war was ready to break out, Northumberland was seized with a sudden illness, at Berwick; and young Piercy, taking the command of the troops, marched towards Shrewsbury, in order to join his forces with those of Glendour. The king had, happily, a small army on foot, with which he had intended to act against the Scots; and knowing the importance of celerity, in all civil wars, he instantly hurried down, that he might give battle to the rebels. He approached Piercy, near Shrewsbury, before that nobleman was joined by Glendour; and the policy of one leader, and impatience of the other, made them hasten to a general engagement.

The evening before the battle, Piercy sent a manifesto to Henry, in which he renounced his allegiance, set that prince at defiance, and, in the name of his father and uncle, as well as his own, enumerated all the grievances of which, he pretended, the nation had reason to complain. He upbraided him with the perjury of which he had been guilty, when, on landing at Ravenspur, he had sworn upon the gospels, before the earl of Northumberland, that he had no other intention than to recover the dutchy of Lancaster, and that he would remain a faithful subject to king Richard. He aggravated his guilt, in first dethroning, then murdering that prince, and in usurping on the title of the house of Mortimer, to whom, both by lineal succession, and by declarations of parliament, the throne, when vacant by Richard's demise, did of right belong. He complained of his cruel policy, in allowing the young earl of Marche, whom he ought to regard as his sovereign, to remain a captive in the hands of his enemies, and, in even refusing, to all his friends, permission to treat of his

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The earl of Northumberland rebels.

<sup>1</sup> Rymer, vol. viii. p. 89.

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Shrews-  
bury.

ransom. He charged him again with perjury, in loading the nation with heavy taxes, after having sworn that, without the utmost necessity, he would never levy any impositions upon them. And he reproached him with the arts employed in procuring favourable elections into parliament; arts, which he himself had before imputed as a crime to Richard, and which he had made one chief reason of that prince's arraignment and deposition.<sup>1</sup> This manifesto was well calculated to inflame the quarrel between the parties: the bravery of the two leaders promised an obstinate engagement: and the equality of the armies, being each about twelve thousand men, a number which was not unmanageable by the commanders, gave reason to expect a great effusion of blood on both sides, and a very doubtful issue to the combat.

We shall scarcely find any battle in those ages, where the shock was more terrible and more constant. Henry exposed his person in the thickest of the fight: his gallant son, whose military achievements were afterwards so renowned, and who here performed his noviciate in arms, signalized himself, in his father's footsteps, and even a wound, which he received in his face, with an arrow, could not oblige him to quit the field.<sup>2</sup> Piercy supported that fame which he had acquired in many a bloody combat: and Douglas, his ancient enemy, and now his friend, still appeared his rival, amidst the horror and confusion of the day. This nobleman performed feats of valour, which are almost incredible: he seemed determined that the king of England should that day fall by his arm: he sought him all over the field of battle: and, as Henry, either to elude the attacks of the enemy, upon his person, or to encourage his own men, by the belief of his presence every where, had accoutred several captains in the royal garb, the sword of Douglas rendered this honour fatal to many.<sup>3</sup> But, while the armies were contending in this furious manner, the death of Piercy by an unknown hand, decided the victory, and the royalists prevailed. There are said to have fallen, that day, on both sides, near two thousand three hundred gentlemen; but the persons of greatest distinction were on the king's; the earl of Stafford, Sir Hugh Shirley, Sir Nicholas Gausel, Sir Hugh Mortimer, Sir John Massey, Sir John Calverly. About six thousand private men perished, of whom two-thirds were of Piercy's army.<sup>4</sup> The earls of Worcester and Douglas were taken prisoners. The former was beheaded at Shrewsbury; the latter was treated with the courtesy due to his rank and merit.

The earl of Northumberland, having recovered from his sickness, had levied a fresh army, and was on his march, to join his son; but, being opposed by the earl of Westmoreland, and hearing of the defeat at Shrewsbury, he dismissed his forces,

<sup>1</sup> Hall, fol. 21, 22, &c. <sup>2</sup> T. Livii, p. 3. <sup>3</sup> Walsing. p. 366, 367. Hall, fol. 22. <sup>4</sup> Chron. Otterbourne, p. 224. Ypod. Neust. p. 560.



and came, with a small retinue, to the king, at York.<sup>1</sup> He pretended that his sole intention, in arming, was to mediate between the parties: Henry thought proper to accept of the apology, and even granted him a pardon for his offence: all the other rebels were treated with equal lenity; and, except the earl of Worcester, and Sir Richard Vernon, who were regarded as the chief authors of the insurrection, no person engaged in this dangerous enterprise, seems to have perished by the hands of the executioner.<sup>2</sup>

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But Northumberland, though he had been pardoned, knew that he never should be trusted, and that he was too powerful to be cordially forgiven, by a prince whose situation gave him such reasonable grounds of jealousy. It was the effect either of Henry's vigilance or good fortune, or of the narrow genius of his enemies, that no proper concert was ever formed among them: they rose in rebellion one after another; and thereby afforded him an opportunity of suppressing singly those insurrections, which, had they been united, might have proved fatal to his authority. The earl of Nottingham, son of the duke of Norfolk, and the archbishop of York, brother to the earl of Wiltshire, whom Henry, then duke of Lancaster, had beheaded at Bristol, though they had remained quiet while Piercy was in the field, still harboured in their breast a violent hatred against the enemy of their families; and they determined, in conjunction with the earl of Northumberland, to seek revenge against him. They betook themselves to arms before that powerful nobleman was prepared to join them; and publishing a manifesto, in which they reproached Henry with his usurpation of the crown, and the murder of the late king, they required that the right line should be restored, and all public grievances be redressed. The earl of Westmoreland, whose power lay in the neighbourhood, approached them with an inferior force at Shipton, near York; and, being afraid to hazard an action, he attempted to subdue them by a stratagem, which nothing but the greatest folly and simplicity on their part could have rendered successful. He desired a conference with the archbishop and earl between the armies: he heard their grievances with great patience: he begged them to propose the remedies: he approved of every expedient which they suggested: he granted them all their demands: he also engaged that Henry should give them entire satisfaction; and when he saw them pleased with the facility of his concessions, he observed to them, that since amity was now, in effect, restored between them, it were better on both sides to dismiss their forces, which otherwise would prove an insupportable burden to the country. The archbishop and the earl of Nottingham, immediately gave directions to that purpose: their troops disbanded upon the field: but Westmoreland, who had secretly issued contrary orders to *his* army, seized the

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<sup>1</sup> Chron. Otterbourne, p. 225.    <sup>2</sup> Rymer, vol. viii. p. 353.

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two rebels, without resistance, and carried them to the king, who was advancing with hasty marches to suppress the insurrection.<sup>1</sup> The trial and punishment of an archbishop might have proved a troublesome and dangerous undertaking, had Henry proceeded regularly, and allowed time for an opposition to form itself against that unusual measure : the celerity of the execution alone, could here render it safe and prudent. Finding that Sir William Gascoigne, the chief justice, made some scruple of acting on this occasion, he appointed Sir William Fulthrope for judge ; who, without any indictment, trial, or defence, pronounced sentence of death upon the prelate, which was presently executed. This was the first instance in England of a capital punishment inflicted on a bishop ; whence the clergy of that rank might learn that their crimes, more than those of laics, were not to pass with impunity. The earl of Nottingham was condemned and executed in the same summary manner : but though many other persons of condition, such as lord Falconberg, Sir Ralph Hastings, Sir John Colville, were engaged in this rebellion, no others seem to have fallen victims to Henry's severity.

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The earl of Northumberland, on receiving this intelligence, fled into Scotland, together with lord Bardolf;<sup>2</sup> and the king, without opposition, reduced all the castles and fortresses belonging to these noblemen. He thence turned his arms against Glendour, over whom his son, the prince of Wales, had obtained some advantages : but that enemy, more troublesome than dangerous, still found means of defending himself in his fastnesses, and of eluding, though not resisting, all the force of England. In a subsequent season, the earl of Northumberland and lord Bardolf, impatient of their exile, entered the north in hopes of raising the people to arms ; but found the country in such a posture as rendered all their attempts unsuccessful. Sir Thomas Rokesby, sheriff of Yorkshire, levied some forces, attacked the invaders at Bramham, and gained a victory, in which both Northumberland and Bardolf were slain.<sup>3</sup> This prosperous event, joined to the death of Glendour, which happened soon after, freed Henry from all his domestic enemies ; and this prince, who had mounted the throne by such unjustifiable means, and held it by such an exceptionable title, had yet, by his valour, prudence, and address, accustomed the people to the yoke, and had obtained a greater ascendant over his haughty barons than the law alone, not supported by these active qualities, was ever able to confer.

About the same time, fortune gave Henry an advantage over that neighbour, who, by his situation, was most enabled to disturb his government. Robert III. king of Scots, was a prince, though of slender capacity, extremely innocent and inoffensive

<sup>1</sup> Walsingham, p. 373. Otterbourne, p. 255. <sup>2</sup> Walsing. p. 374. <sup>3</sup> Ibid p. 377. Chron. Otterb. p. 261.

in his conduct: but Scotland, at that time, was still less fitted than England, for cherishing, or even enduring, sovereigns of that character. The duke of Albany, Robert's brother, a prince of more abilities, at least of a more boisterous and violent disposition, had assumed the government of the state; and, not satisfied with present authority, he entertained the criminal purpose of extirpating his brother's children, and of acquiring the crown to his own family. He threw in prison David, his eldest nephew, who there perished by hunger: James alone, the younger brother of David, stood between that tyrant and the throne; and king Robert, sensible of his son's danger, embarked him on board a ship, with a view of sending him to France, and entrusting him to the protection of that friendly power. Unfortunately, the vessel was taken by the English; prince James, a boy about nine years of age, was carried to London; and though there subsisted, at that time, a truce between the kingdoms, Henry refused to restore the young prince to his liberty. Robert, worn out with cares and infirmities, was unable to bear the shock of this last misfortune; and he soon after died, leaving the government in the hands of the duke of Albany.<sup>1</sup> Henry was now more sensible than ever of the importance of the acquisition which he had made: while he retained such a pledge, he was sure of keeping the duke of Albany in dependence: or, if offended, he could easily, by restoring the true heir, take ample revenge upon the usurper. But though the king, by detaining James in the English court, had shown himself somewhat deficient in generosity, he made ample amends by giving that prince an excellent education, which afterwards qualified him, when he mounted the throne, to reform, in some measure, the rude and barbarous manners of his native country.

The hostile dispositions which, of late, had prevailed between France and England were restrained, during the greater part of this reign, from appearing in action. The jealousies and civil commotions with which both nations were disturbed, kept each of them from taking advantage of the unhappy situation of its neighbour. But as the abilities and good fortune of Henry had sooner been able to compose the English factions, this prince began, in the latter part of his reign, to look abroad, and to foment the animosities between the families of Burgundy and Orleans, by which the government of France was, during that period, so much distracted. He knew that one great source of the national discontent against his predecessor was the inactivity of his reign; and he hoped, by giving a new direction to the restless and unquiet spirits of his people, to prevent their breaking out into domestic wars and disorders. That he might unite policy with force, he first entered into treaty with the duke of Burgundy, and sent that prince a small body of troops, which supported him against his enemies.<sup>2</sup> Soon after he hearkened to more

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<sup>1</sup> Buchanan, lib. 10.<sup>2</sup> Walsing. p. 380.

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actions.

advantageous proposals made him by the duke of Orleans, and despatched a greater body to support that party.<sup>1</sup> But the leaders of the opposite factions having made a temporary accommodation, the interests of the English were sacrificed; and this effort of Henry proved, in the issue, entirely vain and fruitless. The declining state of his health, and the shortness of his reign, prevented him from renewing the attempt, which his more fortunate son carried to so great a length against the French monarchy.

Such were the military and foreign transactions of this reign: the civil and parliamentary are somewhat more memorable, and more worthy of our attention. During the two last reigns, the elections of the commons had appeared a circumstance of government not to be neglected; and Richard was even accused of using unwarrantable methods for procuring, to his partisans, a seat in that house. This practice formed one considerable article of charge against him in his deposition; yet Henry scrupled not to tread in his footsteps, and to encourage the same abuses in elections. Laws were enacted against such undue influence, and even a sheriff was punished for an iniquitous return which he had made:<sup>2</sup> but laws were commonly, at that time, very ill executed; and the liberties of the people, such as they were, stood on a surer basis than on laws and parliamentary elections. Though the house of commons was little able to withstand the violent currents which perpetually ran between the monarchy and the aristocracy, and though that house might easily be brought, at a particular time, to make the most unwarrantable concessions to either; the general institutions of the state still remained invariable; the interests of the several members continued on the same footing; the sword was in the hands of the subject; and the government, though thrown into temporary disorder, soon settled itself on its ancient foundations.

During the greater part of this reign, the king was obliged to court popularity; and the house of commons, sensible of their own importance, began to assume powers, which had not usually been exercised by their predecessors. In the first year of Henry they procured a law, that no judge, in concurring with any iniquitous measure, should be excused by pleading the orders of the king, or even the danger of his own life from the menaces of the sovereign.<sup>3</sup> In the second year, they insisted on maintaining the practice of not granting any supply before they received an answer to their petitions; which was a tacit manner of bargaining with the prince.<sup>4</sup> In the fifth year, they desired the king to remove from his household four persons, who had displeased them, among whom was his own confessor; and Henry, though he told them that he knew of no offence which these men had committed, yet in order to gratify them, complied with

<sup>1</sup> Rymer, vol. viii. p. 715, 738.    <sup>2</sup> Cotton, p. 429.    <sup>3</sup> Ibid. p. 364.    <sup>4</sup> Ibid. p. 406.



their request.<sup>1</sup> In the sixth year, they voted the king supplies, but appointed treasurers of their own, to see the money disbursed for the purposes intended, and required them to deliver in their accounts to the house.<sup>2</sup> In the eighth year, they proposed, for the regulation of the government and household, thirty important articles, which were all agreed to; and they even obliged all the members of council, all the judges, and all the officers of the household, to swear to the observance of them.<sup>3</sup> The abridger of the records remarks the unusual liberties taken, by the speaker and the house, during this period.<sup>4</sup> But the great authority of the commons was but a temporary advantage, arising from the present situation. In a subsequent parliament, when the speaker made his customary application to the throne for liberty of speech, the king, having now overcome all his domestic difficulties, plainly told him that he would have no novelties introduced, and would enjoy his prerogatives. But on the whole the limitations of the government seem to have been more sensibly felt, and more carefully maintained by Henry, than by any of his predecessors.

During this reign, when the house of commons were, at any time, brought to make unwary concessions to the crown, they also showed their freedom, by a speedy retraction of them. Henry, though he entertained a perpetual and well grounded jealousy of the family of Mortimer, allowed not their name to be once mentioned in parliament; and as none of the rebels had ventured to declare the earl of Marche king, he never attempted to procure, what would not have been refused him, an express declaration against the claim of that nobleman; because he knew that such a declaration, in the present circumstances, would have no authority, and would only serve to revive the memory of Mortimer's title in the minds of the people. He proceeded in his purpose after a more artful and covert manner. He procured a settlement of the crown on himself and his heirs-male,<sup>5</sup> thereby tacitly excluding the females, and transferring the Salic law into the English government. He thought, that though the house of Plantagenet had at first derived their title from a female, this was a remote event, unknown to the generality of the people; and if he could once accustom them to the practice of excluding women, the title of the earl of Marche would gradually be forgotten and neglected by them. But he was very unfortunate in this attempt. During the long contests with France, the injustice of the Salic law had been so much exclaimed against by the nation, that a contrary principle had taken deep root in the minds of men; and it was now become impossible to eradicate it. The same house of commons, therefore, in a subsequent session, apprehensive that they had overturned the foundation of the English government, and that they had opened the door to more civil wars than might ensue even from the irregular elevation of the

<sup>1</sup> Cotton, p. 426. <sup>2</sup> Ibid. p. 438. <sup>3</sup> Ibid. p. 456, 457. <sup>4</sup> Ibid. p. 462. <sup>5</sup> Ibid. p. 454.

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house of Lancaster, applied with such earnestness for a new settlement of the crown, that Henry yielded to their request, and agreed to the succession of the princesses of his family:<sup>1</sup> a certain proof, that nobody was, in his heart, satisfied with the king's title to the crown, or knew on what principle to rest it.

But though the commons, during this reign, showed a laudable zeal for liberty in their transactions with the crown; their efforts against the church were still more extraordinary, and seemed to anticipate very much the spirit which became so general in a little more than a century afterwards. I know, that the credit of these passages rests entirely on one ancient historian;<sup>2</sup> but that historian was contemporary, was a clergyman, and it was contrary to the interests of his order to preserve the memory of such transactions, much more to forge precedents, which posterity might, some time, be tempted to imitate. This is a truth so evident, that the most likely way of accounting for the silence of the records on this head, is by supposing that the authority of some churchmen was so great as to procure a rasure, with regard to these circumstances, which the indiscretion of one of that order has happily preserved to us.

In the sixth of Henry, the commons, who had been required to grant supplies, proposed in plain terms to the king, that he should seize all the temporalities of the church, and employ them as a perpetual fund to serve the exigencies of the state. They insisted that the clergy possessed a third of the lands of the kingdom; that they contributed nothing to the public burdens; and that their riches tended only to disqualify them from performing their ministerial functions with proper zeal and attention. When this address was presented, the archbishop of Canterbury, who then attended the king, objected that the clergy, though they went not in person to the wars, sent their vassals and tenants, in all cases of necessity; while, at the same time, they themselves, who staid at home, were employed night and day in offering up their prayers for the happiness and prosperity of the state. The speaker smiled, and answered, without reserve, that he thought the prayers of the church but a very slender supply. The archbishop, however, prevailed in the dispute: the king discouraged the application of the commons: and the lords rejected the bill which the lower house had framed for stripping the church of her revenues.<sup>3</sup>

The commons were not discouraged by this repulse: in the eleventh of the king they returned to the charge with more zeal than before: they made a calculation of the ecclesiastical revenues, which, by their account, amounted to four hundred and eighty-five thousand marks a year, and contained eighteen thousand four hundred ploughs of land. They proposed to divide

<sup>1</sup> Rymer, vol. viii. p. 462.    <sup>2</sup> Walsingham.    <sup>3</sup> Walsingham, p. 371. Ypod. Neust, p. 563.

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this property among fifteen new earls, one thousand five hundred knights, six thousand esquires, and a hundred hospitals; besides twenty thousand pounds a year, which the king might take for his own use: and they insisted, that the clerical functions would be better performed than at present, by fifteen thousand parish priests, paid at the rate of seven marks a piece of yearly stipend.<sup>1</sup> This application was accompanied with an address for mitigating the statutes enacted against the Lollards, which shows from what source the address came. The king gave the commons a severe reply; and farther to satisfy the church, and to prove that he was quite in earnest, he ordered a Lollard to be burned, before the dissolution of the parliament.<sup>2</sup>

We have now related almost all the memorable transactions of this reign, which was busy and active; but produced few events that deserve to be transmitted to posterity. The king was so much employed in defending his crown, which he had obtained by unwarrantable means, and possessed by a bad title, that he had little leisure to look abroad, or to perform any action which might redound to the honour or advantage of the nation. His health declined some months before his death; he was subject to fits, which bereaved him, for the time, of his senses: and, though he was yet in the flower of his age, his end was visibly approaching. He expired at Westminster, in the forty-sixth year of his age, and the thirteenth of his reign. 20th Mar.  
Death,

The great popularity which Henry enjoyed before he attained the crown, and which had so much aided him in the acquisition of it, was entirely lost, many years before the end of his reign; and he governed his people more by terror than by affection; more by his own policy than by their sense of duty or allegiance. When men came to reflect, in cool blood, on the crimes which had led him to the throne; the rebellion against his prince; the deposition of a lawful king, guilty sometimes, perhaps, of oppression, but more frequently of indiscretion; the exclusion of the true heir; the murder of his sovereign and near relation; these were such enormities as drew upon him the hatred of his subjects, sanctified all the rebellions against him, and made the executions, though not remarkably severe, which he found necessary for the maintenance of his authority, appear cruel as well as iniquitous to the people. Yet, without pretending to apologize for these crimes, which must ever be held in detestation, it may be remarked, that he was insensibly led into this blamable conduct by a train of incidents, which few men possess virtue enough to withstand. The injustice with which his predecessor had treated him, in first condemning him to banishment, then despoiling him of his patrimony, made him naturally think of revenge, and of recovering his lost rights; the headlong zeal of the people hurried him into the throne; the care and character of  
the king.

<sup>1</sup> Walsingham, p. 379. Tit. Livius. <sup>2</sup> Rymer, vol. viii. p. 627. Otterbourne, p. 267.

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of his own security, as well as his ambition, made him an usurper; and the steps have always been so few between the prisons of princes and their graves, that we need not wonder that Richard's fate was no exception to the general rule. All these considerations make Henry's situation, if he retained any sense of virtue, much to be lamented; and the inquietude with which he possessed his envied greatness, and the remorse by which, it is said, he was continually haunted, render him an object of our pity, even when seated upon the throne. But it must be owned, that his prudence, and vigilance, and foresight, in maintaining his power, were admirable: his command of temper, remarkable: his courage, both military and political, without blemish: and he possessed many qualities which fitted him for his high station, and which rendered his usurpation of it, though pernicious in aftertimes, rather salutary, during his own reign, to the English nation.

Henry was twice married: by his first wife, Mary de Bohun, daughter and coheir of the earl of Hereford, he had four sons, Henry, his successor in the throne, Thomas, duke of Clarence, John, duke of Bedford, and Humphrey, duke of Gloucester; and two daughters, Blanche and Philippa, the former married to the duke of Bavaria, the latter to the king of Denmark. His second wife, Jane, whom he married after he was king, and who was daughter to the king of Navarre, and widow of the duke of Brittany, brought him no issue.

By an act of the fifth of this reign, it is made felony to cut out any person's tongue, or put out his eyes; crimes which, the act says, were very frequent. This savage spirit of revenge denotes a barbarous people; though, perhaps, it was increased by the prevailing factions and civil commotions.

Commerce was very little understood in this reign, as in all the preceding. In particular, a great jealousy prevailed against *merchant strangers*; and many restraints were, by law, imposed upon them; namely, that they should lay out in English manufactures or commodities, all the money acquired by the sale of their goods; that they should not buy or sell with one another, and that all their goods should be disposed of three months after importation. This last clause was found so inconvenient, that it was soon after repealed by parliament.

It appears that the expense of this king's household amounted to the yearly sum of nineteen thousand five hundred pounds, money of that age.<sup>2</sup>

Guicciardin tells us, that the Flemings, in this century, learned from Italy, all the refinements in arts, which they taught the rest of Europe. The progress, however, of the arts, was still very slow and backward in England.

<sup>1</sup> 4 Hen. IV. cap. 15. and 5 Hen. IV. cap. 9. <sup>2</sup> Rymer, tom. vii. p. 610.



## CHAPTER XIX.

## HENRY V.

The King's former Disorders—His Reformation—The Lollards—Punishment of lord Cobham—State of France—Invasion of that Kingdom—Battle of Azincour—State of France—New invasion of France—Assassination of the Duke of Burgundy—Treaty of Troye—Marriage of the King—His Death—and Character—Miscellaneous Transactions during this reign.

THE many jealousies to which Henry IV.'s situation naturally exposed him, had so infected his temper, that he had entertained unreasonable suspicions with regard to the fidelity of his eldest son; and during the latter years of his life, he had excluded that prince from all share in public business, and was even displeased to see him at the head of armies, where his martial talents, though useful to the support of government, acquired him a renown, which he thought might prove dangerous to his own authority. The active spirit of young Henry, restrained from its proper exercise, broke out into extravagancies of every kind; and the riot of pleasure, the frolic of debauchery, the outrage of wine, filled the vacancies of a mind, better adapted to the pursuits of ambition and the cares of government. This course of life threw him among companions, whose disorders, if accompanied with spirit and humour, he indulged and seconded; and he was detected in many sallies, which, to severer eyes, appeared totally unworthy of his rank and station. There even remains a tradition, that, when heated with liquor and jollity, he scrupled not to accompany his riotous associates in attacking the passengers on the streets and highways, and despoiling them of their goods; and he found an amusement in the incidents which the terror and regret of these defenceless people produced on such occasions. This extreme of dissoluteness proved equally disagreeable to his father, as that eager application to business, which had at first given him occasion of jealousy; and he saw, in his son's behaviour, the same neglect of decency, the same attachment to low company, which had degraded the personal character of Richard, and which, more than all his errors in government, had tended to overturn his throne. But the nation in general considered the young prince with more indulgence; and observed so many gleams of generosity, spirit and magnanimity, breaking continually through the cloud which a wild conduct threw over his character, that they never ceased hoping for his amendment; and they ascribed all the weeds, which shot up in that rich soil, to the want of proper culture and attention in the king and his ministers. There happened an incident which encouraged these agreeable views, and gave much occasion for

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The king's  
former dis-  
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favourable reflections to all men of sense and candour. A riotous companion of the prince's had been indicted before Gascoigne, the chief justice, for some disorders; and Henry was not ashamed to appear at the bar with the criminal, in order to give him countenance and protection. Finding that his presence had not overawed the chief justice, he proceeded to insult that magistrate on his tribunal; but Gascoigne, mindful of the character which he then bore, and the majesty of the sovereign and of the laws, which he sustained, ordered the prince to be carried to prison for his rude behaviour.<sup>1</sup> The spectators were agreeably disappointed, when they saw the heir of the crown submit peaceably to this sentence, make reparation for his error by acknowledging it, and check his impetuous nature in the midst of its extravagant career.

His reformation.

The memory of this incident, and many others of a like nature, rendered the prospect of the future reign nowise disagreeable to the nation, and increased the joy, which the death of so unpopular a prince as the late king, naturally occasioned. The first steps taken by the young prince, confirmed all these prepossessions entertained in his favour.<sup>2</sup> He called together his former companions, acquainted them with his intended reformation, exhorted them to imitate his example, but strictly inhibited them, till they had given proofs of their sincerity in this particular, from appearing any more in his presence; and he thus dismissed them with liberal presents.<sup>3</sup> The wise ministers of his father, who had checked his riots, found that they had unknowingly been paying the highest court to him; and were received with all the marks of favour and confidence. The chief justice himself, who trembled to approach the royal presence, met with praises, instead of reproaches, for his past conduct, and was exhorted to persevere in the same rigorous and impartial execution of the laws. The surprise of those who expected an opposite behaviour, augmented their satisfaction; and the character of the young king appeared brighter than if it had never been shaded by any errors.

But Henry was anxious, not only to repair his own misconduct, but also, to make amends for those iniquities into which policy, or the necessity of affairs, had betrayed his father. He expressed the deepest sorrow for the fate of the unhappy Richard, did justice to the memory of that unfortunate prince, even performed his funeral obsequies with pomp and solemnity, and cherished all those who had distinguished themselves by their loyalty, and attachment towards him.<sup>4</sup> Instead of continuing the restraints, which the jealousy of his father had imposed on the earl of Marche, he received that young nobleman, with singular courtesy and favour: and by this magnanimity, so gained on the gentle, and unambitious nature of his competitor, that he

<sup>1</sup> Hall, fol. 33.    <sup>2</sup> Walsing. p. 382.    <sup>3</sup> Hall, fol. 33. Holingshed, p. 553. Godwin's Life of Henry V. p. 1.    <sup>4</sup> Hist. Croyland, contin. Hall, fol. 34. Holingshed, p. 544.

remained, ever after, sincerely attached to him, and gave him no disturbance in his future government. The family of Piercy was restored to its fortune and honours.<sup>1</sup> The king seemed ambitious to bury all party distinctions in oblivion: the instruments of the preceding reign, who had been advanced, from their blind zeal for the Lancastrian interests, more than from their merits, gave place, every where, to men of more honourable characters: virtue seemed now to have an open career, in which it might exert itself: the exhortations, as well as example, of the prince, gave it encouragement: all men were unanimous in their attachment to Henry; and the defects of his title were forgotten, amidst the personal regard which was universally paid to him.

There remained, among the people, only one party distinction, which was derived from religious differences, and which, as it is of a peculiar, and commonly a very obstinate nature, the popularity of Henry was not able to overcome. The Lollards were every day increasing, in the kingdom, and were become a formed party, which appeared extremely dangerous to the church, and even formidable to the civil authority.<sup>2</sup> The enthusiasm, by which these sectaries were generally actuated, the great alterations which they pretended to introduce, the hatred which they expressed against the established hierarchy, gave an alarm to Henry; who, either from a sincere attachment to the ancient religion, or from a dread of the unknown consequences which attend all important changes, was determined to execute the law against such bold innovators. The head of this sect was Sir John Oldcastle, lord Cobham, a nobleman, who had distinguished himself by his valour and his military talents, and had, on many occasions, acquired the esteem both of the late and of the present king.<sup>3</sup> His high character, and his zeal for the new sect, pointed him out to Arundel, archbishop of Canterbury, as the proper victim of ecclesiastical severity; whose punishment would strike a terror into the whole party, and teach them that they must expect no mercy, under the present administration. He applied to Henry for a permission to indict lord Cobham;<sup>4</sup> but the generous nature of the prince was averse to such sanguinary methods of conversion. He represented to the primate, that reason and conviction were the best expedients for supporting truth; that all gentle means ought first to be tried, in order to reclaim men from error; and that he himself would endeavour, by a conversation with Cobham, to reconcile him to the catholic faith. But he found that nobleman obstinate in his opinions, and determined not to sacrifice truths of such infinite moment to his complaisance for sovereigns.<sup>5</sup> Henry's principles of toleration, or rather his love of the practice, could carry him no farther; and he then gave full reins to ecclesiastical severity against the

The Lollards.

<sup>1</sup> Holingshed. p. 545. <sup>2</sup> Walsingham, p. 382. <sup>3</sup> Ibid. <sup>4</sup> Fox's Acts and Monuments, p. 513. <sup>5</sup> Rymer, vol. ix. p. 61. Walsingham, p. 383.

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inflexible heresiarch. The primate indicted Cobham; and, with the assistance of his three suffragans, the bishops of London, Winchester, and St. David's, condemned him to the flames for his erroneous opinions. Cobham, who was confined in the Tower, made his escape before the day appointed for his execution. The bold spirit of the man, provoked by persecution, and stimulated by zeal, was urged to attempt the most criminal enterprises; and his unlimited authority over the new sect, proved that he well merited the attention of the civil magistrate. He formed, in his retreat, very violent designs against his enemies; and despatching his emissaries to all quarters, appointed a general rendezvous of the party, in order to seize the person of the king, at Eltham, and put their persecutors to the sword.<sup>1</sup> Henry, apprised of their intention, removed to Westminster: Cobham was not discouraged by this disappointment; but changed the place of rendezvous to the field near St. Giles's: the king, having shut the gates of the city, to prevent any reinforcement to the Lollards from that quarter, came into the field in the night time, seized such of the conspirators as appeared, and afterwards laid hold of the several parties who were hastening to the place appointed. It appeared that a few only were in the secret of the conspiracy: the rest implicitly followed their leaders: but, upon the trial of the prisoners, the treasonable designs of the sect were rendered certain, both from evidence, and from the confession of the criminals themselves.<sup>2</sup> Some were executed; the greater number pardoned.<sup>3</sup> Cobham himself, who made his escape by flight, was not brought to justice till four years after, when he was hanged as a traitor; and his body was burnt on the gibbet, in execution of the sentence, pronounced against him as a heretic.<sup>4</sup> This criminal design, which was perhaps somewhat aggravated by the clergy, brought discredit upon the party, and checked the progress of that sect, which had embraced the speculative doctrines of Wickliffe, and at the same time aspired to a reformation of ecclesiastical abuses.

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These two points were the great objects of the Lollards; but the bulk of the nation was not affected in the same degree by both of them. Common sense and obvious reflection, had discovered to the people, the advantages of a reformation in discipline; but the age was not yet so far advanced as to be seized with the spirit of controversy, or to enter into those abstruse doctrines, which the Lollards endeavoured to propagate throughout the kingdom. The very notion of heresy alarmed the generality of the people: innovation, in fundamental principles, was suspicious: curiosity was not, as yet, a sufficient counterpoise to authority: and even many, who were the greatest friends to

<sup>1</sup> Walsingham. p. 385. <sup>2</sup> Cotton, p. 554. Hall, fol. 35. Holingshed, p. 544. <sup>3</sup> Rymer, vol. ix. p. 119, 129, 193. <sup>4</sup> Walsingham, p. 400. Otterbourne, p. 280. Holingshed, p. 561.



the reformation of abuses, were anxious to express their detestation of the speculative tenets of the Wickliffites, which, they feared, threw disgrace on so good a cause. This turn of thought, appears evidently in the proceedings of the parliament, which was summoned immediately after the detection of Cobham's conspiracy. That assembly passed severe laws against the new heretics: they enacted, that whoever was convicted of Lollardy before the ordinary, besides suffering capital punishment, according to the laws formerly established, should also forfeit his lands and goods to the king; and that the chancellor, treasurer, justices of the two benches, sheriffs, justices of the peace, and all the chief magistrates, in every city and borough, should take an oath, to use their utmost endeavours for the extirpation of heresy.<sup>1</sup> Yet this very parliament, when the king demanded supply, renewed the offer formerly pressed upon his father, and entreated him to seize all the ecclesiastical revenues, and convert them to the use of the crown.<sup>2</sup> The clergy were alarmed: they could offer the king no bribe which was equivalent: they only agreed to confer on him all the priories alien, which depended on capital abbeys in Normandy, and had been bequeathed to these abbeys, when that province remained united to England: and Chichely, now archbishop of Canterbury, endeavoured to divert the blow, by giving occupation to the king, and by persuading him to undertake a war against France, in order to recover his lost rights to that kingdom.<sup>3</sup>

It was the dying injunction of the late king to his son, not to allow the English to remain long in peace, which was apt to breed intestine commotions; but to employ them in foreign expeditions, by which the prince might acquire honour; the nobility, in sharing his dangers, might attach themselves to his person; and all the restless spirits find occupation for their inquietude. The natural disposition of Henry sufficiently inclined him to follow this advice, and the civil disorders of France, which had been prolonged beyond those of England, opened a full career to his ambition.

The death of Charles V. which followed soon after that of 1415. Edward III. and the youth of his son, Charles VI. put the two State of France. kingdoms, for some time, in a similar situation; and it was not to be apprehended that either of them, during a minority, would be able to make much advantage of the weakness of the other. The jealousies, also, between Charles's three uncles, the dukes of Anjou, Berri, and Burgundy, had distracted the affairs of France, rather more than those between the dukes of Lancaster, York, and Gloucester, Richard's three uncles, disordered those of England; and had carried off the attention of the French nation from any vigorous enterprise against foreign states. But in proportion as Charles advanced in years, the factions were composed; his two uncles, the dukes of Anjou and Burgundy, died;

<sup>1</sup> 2 Hen. V. chap. 7.<sup>2</sup> Hall, fol. 35.<sup>3</sup> Ibid. 35, 36.

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and the king himself, assuming the reins of government, discovered symptoms of genius and spirit, which revived the drooping hopes of his country. This promising state of affairs was not of long duration: the unhappy prince fell, suddenly, into a fit of frenzy, which rendered him incapable of exercising his authority: and though he recovered from this disorder, he was so subject to relapses, that his judgment was gradually, but sensibly impaired, and no steady plan of government could be pursued by him. The administration of affairs was disputed between his brother, Lewis, duke of Orleans, and his cousin-german, John, duke of Burgundy: the propinquity to the crown pleaded in favour of the former: the latter, who, in right of his mother, had inherited the county of Flanders, which he annexed to his father's extensive dominions, derived a lustre from his superior power: the people were divided between these contending princes: and the king, now resuming, now dropping his authority, kept the victory undecided, and prevented any regular settlement of the state, by the final prevalence of either party.

At length, the dukes of Orleans and Burgundy, seeming to be moved by the cries of the nation, and by the interposition of common friends, agreed to bury all past quarrels in oblivion, and to enter into strict amity: they swore, before the altar, the sincerity of their friendship; the priest administered the sacrament to both of them; they gave to each other every pledge which could be deemed sacred among men: but all this solemn preparation was only a cover for the basest treachery, which was deliberately premeditated, by the duke of Burgundy. He procured his rival to be assassinated, in the streets of Paris: he endeavoured, for some time, to conceal the part, which he took in the crime: but being detected, he embraced a resolution, still more criminal and more dangerous to society, by openly avowing and justifying it.<sup>1</sup> The parliament itself, of Paris, the tribunal of justice, heard the harangues of the duke's advocate, in defence of assassination, which he termed tyrannicide; and that assembly, partly influenced by faction, partly overawed by power, pronounced no sentence of condemnation against this detestable doctrine.<sup>2</sup> The same question was afterwards agitated before the council of Constance; and it was with difficulty that a feeble decision, in favour of the contrary opinion, was procured from these fathers of the church, the ministers of peace and of religion. But the mischievous effects of that tenet, had they been before anywise doubtful, appeared sufficiently from the present incidents. The commission of this crime, which destroyed all trust and security, rendered the war implacable between the French parties, and cut off every means of peace and accommodation. The princes of the blood, combining with the young duke of Orleans, and his brothers, made

<sup>1</sup> La Laboureur, liv. xxvii. chap. 23, 24.

<sup>2</sup> Ibid. chap. 27. Monstrelet, chap. 39.

violent war on the duke of Burgundy; and the unhappy king, seized sometimes by one party, sometimes by the other, transferred, alternately to each of them, the appearance of legal authority. The provinces were laid waste, by mutual depredations: assassinations were every where committed, from the animosity of several leaders; or, what was equally terrible, executions were ordered, without any legal or free trial, by pretended courts of judicature. The whole kingdom was distinguished into two parties, the Burgundians and the Armagnacs; so the adherents of the young duke of Orleans were called, from the count of Armagnac, father-in-law to that prince. The city of Paris, distracted between them, but inclining more to the Burgundians, was a perpetual scene of blood and violence; the king and royal family were often detained captives in the hands of the populace; their faithful ministers were butchered or imprisoned, before their faces; and it was dangerous for any man, amidst these enraged factions, to be distinguished by a strict adherence to the principles of probity and honour.

During this scene of general violence, there rose into some consideration, a body of men, which usually makes no figure in public transactions, even during the most peaceful times; and that was the university of Paris, whose opinion was sometimes demanded, and more frequently offered, in the multiplied disputes between the parties. The schism, by which the church was, at that time, divided, and which occasioned frequent controversies in the university, had raised the professors to an unusual degree of importance; and this connexion between literature and superstition, had bestowed on the former a weight, to which reason and knowledge are not, of themselves, anywise entitled among men. But there was another society, whose sentiments were much more decisive, at Paris; the fraternity of butchers, who, under the direction of their ringleaders, had declared for the duke of Burgundy, and committed the most violent outrages against the opposite party. To counterbalance their power, the Armagnacs made interests with the fraternity of carpenters; the populace ranged themselves on one side or the other; and the fate of the capital depended on the prevalence of either party.

The advantage, which might be made of these confusions, was easily perceived in England, and, according to the maxims which usually prevail among nations, it was determined to lay hold of the favourable opportunity. The late king, who was courted by both the French parties, fomented the quarrel, by alternately sending assistance to each; but the present sovereign, impelled by the vigour of youth, and the ardour of ambition, determined to push his advantages to a greater length, and to carry violent war into that distracted kingdom. But while he was making preparations for this end, he tried to effect his purpose by negotiation; and he sent over ambassadors to Paris, offering a perpetual peace and alliance; but demanding Catharine, the French king's daughter, in marriage, two millions of crowns, as her

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portion, one million six hundred thousand, as the arrears of king John's ransom, and the immediate possession and full sovereignty of Normandy, and of all the other provinces which had been ravished from England, by the arms of Philip Augustus; together with the superiority of Brittany and Flanders.<sup>1</sup> Such exorbitant demands show, that he was sensible of the present miserable condition of France; and the terms offered by the French court, though much inferior, discover their consciousness of the same melancholy truth. They were willing to give him the princess in marriage, to pay him eight hundred thousand crowns, to resign the entire sovereignty of Guienne, and to annex to that province the county of Perigord, Rovergue, Xaintonge, the Angoumois, and other territories.<sup>2</sup> As Henry rejected these conditions, and scarcely hoped that his own demands would be complied with, he never intermitted, a moment, his preparations for war; and, having assembled a great fleet and army, at Southampton, having invited all the nobility and military men of the kingdom to attend him, by the hopes of glory and conquest, he came to the sea side, with a purpose of embarking on his expedition.

But while Henry was meditating conquests upon his neighbours, he unexpectedly found himself in danger, from a conspiracy at home, which was happily detected in its infancy. The earl of Cambridge, second son of the late duke of York, having espoused the sister of the earl of Marche, had zealously embraced the interests of that family; and had held some conferences with lord Scrope, of Masham, and Sir Thomas Grey, of Heton, about the means of recovering, to that nobleman, his right to the crown of England. The conspirators, as soon as detected, acknowledged their guilt to the king;<sup>3</sup> and Henry proceeded, without delay, to their trial and condemnation. The utmost that could be expected of the best king, in those ages, was, that he would so far observe the essentials of justice, as not to make an innocent person a victim to his severity: but, as to the formalities of law, which are often as material as the essentials themselves, they were sacrificed, without scruple, to the least interest or convenience. A jury of commoners was summoned: the three conspirators were indicted before them: the constable of Southampton castle swore, that they had separately confessed their guilt to him: without other evidence, Sir Thomas Grey was condemned and executed: but, as the earl of Cambridge and lord Scrope pleaded the privilege of their peerage, Henry thought

<sup>1</sup> Rymer, vol. ix. p. 208. <sup>2</sup> Ibid. p. 211. It is reported, by some historians, (See Hist. Croyl. Cont. p. 500) that the dauphin, in derision of Henry's claims and dissolute character, sent him a box of tennis balls, intimating that these implements of play were better adapted to him, than the instruments of war. But this story is, by no means, credible; the great offers made by the court of France, show that they had already entertained a just idea of Henry's character, as well as of their own situation, <sup>3</sup> Rymer, vol. ix. p. 300. T. Livii, p. 8.



proper to summon a court of eighteen barons, in which the duke of Clarence presided: the evidence given before the jury was read to them: the prisoners, though one of them was a prince of the blood, were not examined, nor produced in court, nor heard in their own defence; but received sentence of death upon this proof, which was every way irregular and unsatisfactory; and the sentence was, soon after, executed. The earl of Marche was accused of having given his approbation to the conspiracy, and received a general pardon from the king.<sup>1</sup> He was probably either innocent of the crime imputed to him, or had made reparation, by his early repentance and discovery.<sup>2</sup>

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The successes which the arms of England have, in different ages, obtained over those of France, have been much owing to the favourable situation of the former kingdom. The English, happily seated in an island, could make advantage of every misfortune which attended their neighbours, and were little exposed to the danger of reprisals. They never left their own country, but when they were conducted by a king of extraordinary genius, or found their enemy divided by intestine factions, or were supported by a powerful alliance on the continent; and, as all these circumstances concurred, at present, to favour their enterprise, they had reason to expect from it proportionable success. The duke of Burgundy, expelled France, by a combination of the princes, had been secretly soliciting the alliance of England;<sup>3</sup> and Henry knew that this prince, although he scrupled, at first, to join the inveterate enemy of his country, would willingly, if he saw any probability of success, both assist him with his Flemish subjects, and draw over to the same side all his numerous partisans in France. Trusting, therefore, to this circumstance, but without establishing any concert with the duke, he put to sea, and landed near Harfleur, at the head of an army of six thousand men at arms, and twenty-four thousand foot, mostly archers. He immediately began the siege of that place, which was valiantly defended by d'Estouteville, and under him by de Guitri, de Gaucourt, and others of the French nobility: but as the garrison was weak, and the fortifications in bad repair, the governor was at last obliged to capitulate; and he promised to surrender the place, if he received no succour before the eighteenth of September. The day came, and there was no appearance of a French army to relieve him. Henry, taking possession of the town, placed a garrison in it, and expelled all the French inhabitants, with an intention of peopling it anew with English. 14th Aug.

The fatigues of this siege, and the unusual heat of the season, had so wasted the English army, that Henry could enter on no farther enterprise; and was obliged to think of returning into England. He had dismissed his transports, which could not anchor in an open road, upon the enemy's coasts; and he lay under

<sup>1</sup> Rymer, vol. ix. p. 303. <sup>2</sup> St. Remi, chap. 55. Goodwin, p. 65. <sup>3</sup> Rymer, vol. ix. p. 137, 138.

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a necessity of marching, by land, to Calais, before he could reach a place of safety. A numerous French army, of fourteen thousand men at arms, and forty thousand foot, was, by this time, assembled in Normandy, under the constable, d'Albret; a force which, if prudently conducted, was sufficient either to trample down the English in the open field, or to harass and reduce to nothing their small army, before they could finish so long and difficult a march. Henry, therefore, cautiously offered to sacrifice his conquest of Harfleur for a safe passage to Calais; but his proposal being rejected, he determined to make his way, by valour and conduct, through all the opposition of the enemy.<sup>1</sup> That he might not discourage his army, by the appearance of flight, or expose them to those hazards which naturally attend precipitate marches, he made slow and deliberate journeys,<sup>2</sup> till he reached the Somme, which he purposed to pass at the ford of Blanquetague, the same place where Edward, in a like situation, had before escaped from Philip de Valois. But he found the ford rendered impassable, by the precaution of the French general, and guarded by a strong body, on the opposite bank;<sup>3</sup> and he was obliged to march higher up the river, in order to seek for a safe passage. He was continually harassed, on his march, by flying parties of the enemy; saw bodies of troops on the other side, ready to oppose every attempt: his provisions were cut off; his soldiers languished with sickness and fatigue; and his affairs seemed to be reduced to a desperate situation, when he was so dexterous, or so fortunate, as to seize, by surprise, a passage near St. Quintin, which had not been sufficiently guarded; and he safely carried over his army.<sup>4</sup>

Battle of  
Azincour.

25th Oct.

Henry then bent his march northwards, to Calais; but he was still exposed to great and imminent danger from the enemy, who had also passed the Somme, and threw themselves full in his way, with a purpose of intercepting his retreat. After he had passed the small river of Ternois, at Blangi, he was surprised to observe, from the heights, the whole French army drawn up in the plains of Azincour, and so posted, that it was impossible for him to proceed on his march, without coming to an engagement. Nothing, in appearance, could be more unequal than the battle upon which his safety and all his fortunes now depended. The English army was little more than half the number which had disembarked at Harfleur; and they laboured under every discouragement and necessity. The enemy was four times more numerous; was headed by the dauphin, and all the princes of the blood, and was plentifully supplied with provisions of every kind. Henry's situation was exactly similar to that of Edward, at Cressy, and that of the Black Prince, at Poitiers; and the memory of these great events, inspiring the English with courage, made them hope for a like deliverance from their present difficulties.

<sup>1</sup> La Laboureur, liv. xxxv. chap. 6.    <sup>2</sup> T. Livii, p. 12.    <sup>3</sup> St. Remi, chap. 58.    <sup>4</sup> T. Livii, p. 13.

The king, likewise, observed the same prudent conduct which had been followed by these great commanders: he drew up his army on a narrow ground, between two woods, which guarded each flank; and he patiently expected, in that posture, the attack of the enemy.<sup>1</sup>

Had the French constable been able, either to reason justly upon the present circumstances of the two armies, or to profit by past experience, he had declined a combat, and had waited till necessity, obliging the English to advance, had made them relinquish the advantages of their situation. But the impetuous valour of the nobility, and a vain confidence in superior numbers, brought on this fatal action, which proved the source of infinite calamities to their country. The French archers, on horseback, and their men at arms, crowded in their ranks, advanced upon the English archers, who had fixed palisadoes in their front, to break the impression of the enemy, and who safely plied them, from behind the defence, with a shower of arrows, which nothing could resist.<sup>2</sup> The clay soil, moistened by some rain, which had lately fallen, proved another obstacle to the force of the French cavalry. The wounded men and horses discomposed their ranks: the narrow compass in which they were pent, hindered them from recovering any order: the whole army was a scene of confusion, terror, and dismay: and Henry, perceiving his advantage, ordered the English archers, who were light and unincumbered, to advance upon the enemy, and seize the moment of victory. They fell, with their battle-axes, upon the French, who, in their present posture, were incapable either of flying, or of making defence: they hewed them in pieces, without resistance:<sup>3</sup> and, being seconded by the men at arms, who also pushed on against the enemy, they covered the field with the killed, wounded, dismounted, and overthrown. After all appearance of opposition was over, the English had leisure to make prisoners; and, having advanced, with uninterrupted success, to the open plain, they there saw the remains of the French rear guard, which still maintained the appearance of a line of battle. At the same time, they heard an alarm from behind: some gentlemen of Picardy, having collected about six hundred peasants, had fallen upon the English baggage, and were doing execution on the unarmed followers of the camp, who fled before them. Henry, seeing the enemy on all sides of him, began to entertain apprehensions from his prisoners; and thought it necessary to issue general orders, for putting them to death: but on discovering the truth, he stopped the slaughter, and was still able to save a great number.

No battle was ever more fatal to France, by the number of princes and nobility slain or taken prisoners. Among the former, were the chief constable himself, the count of Nevers, and the

<sup>1</sup> St. Remi, cap. 62. <sup>2</sup> Walsingham, p. 392. T. Livii, p. 19. La Laboureur, liv. xxxv. chap. 7. Monstrelet, chap. 147. <sup>3</sup> Walsing. p. 393. Ypod. Neust. p. 594.

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duke of Brabant, brothers to the duke of Burgundy, the count of Vaudemont, brother to the duke of Lorraine, the duke of Alençon, the duke of Barre, the count of Marle. The most eminent prisoners were, the dukes of Orleans and Bourbon, the counts d'Eu, Vendome, and Richemont, and the mareschal of Boucicaut. An archbishop of Sens, also, was slain in this battle. The killed are computed, on the whole, to have amounted to ten thousand men; and, as the slaughter fell chiefly upon the cavalry, it is pretended, that of these, eight thousand were gentlemen. Henry was master of fourteen thousand prisoners. The person, of chief note, who fell among the English, was the duke of York, who perished, fighting by the king's side, and had an end more honourable than his life. He was succeeded, in his honours and fortune, by his nephew, son of the earl of Cambridge, executed in the beginning of the year. All the English, who were slain, exceeded not forty; though some writers, with great probability, make the number more considerable.

The three great battles, of Cressy, Poitiers, and Azincour, bear a singular resemblance to each other, in their most considerable circumstances. In all of them, there appears the same temerity in the English princes, who, without any object of moment, merely for the sake of plunder, had ventured so far into the enemy's country, as to leave themselves no retreat; and unless saved by the utmost imprudence in the French commanders, were, from their very situation, exposed to inevitable destruction. But, allowance being made for this temerity, which, according to the irregular plans of war, followed in those ages, seems to have been, in some measure, unavoidable, there appears, in the day of action, the same presence of mind, dexterity, courage, firmness, and precaution, on the part of the English; the same precipitation, confusion, and vain confidence, on the part of the French: and the events were such as might have been expected from such opposite conduct. The immediate consequences, too, of these three great victories, were similar: instead of pushing the French with vigour, and taking advantage of their consternation, the English princes, after their victory, seem rather to have relaxed their efforts, and to have allowed the enemy leisure to recover from his losses. Henry interrupted not his march a moment, after the battle of Azincour; he carried his prisoners to Calais, thence to England; he even concluded a truce with the enemy; and it was not till after an interval of two years, that any body of English troops appeared in France.

The poverty of all the European princes, and the small resources of their kingdoms, were the cause of these continual interruptions in their hostilities; and though the maxims of war were, in general, destructive, their military operations were mere incursions, which, without any settled plan, they carried on against each other. The lustre, however, attending the victory of Azincour, procured some supplies from the English parliament, though still unequal to the expenses of a campaign.



They granted Henry an entire fifteenth of moveables; and they conferred on him, *for life*, the duties of tonnage and poundage, and the subsidies on the exportation of wool and leather. This concession is more considerable than that which had been granted to Richard II. by his last parliament, and which was afterwards, on his deposition, made so great an article of charge against him.

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But during this interruption of hostilities from England, France was exposed to all the furies of civil war; and the several parties became every day more enraged against each other. The duke of Burgundy, confident that the French ministers and generals were entirely discredited by the misfortune at Azincour, advanced with a great party to Paris, and attempted to reinstate himself in possession of the government, as well as of the person of the king. But his partisans in that city were overawed by the court, and kept in subjection: the duke despaired of success: and he retired with his forces, which he immediately disbanded in the Low Countries.<sup>1</sup> He was soon after invited to make a new attempt, by some violent quarrels which broke out in the royal family. The queen Isabella, daughter of the duke of Bavaria, who had been hitherto an inveterate enemy to the Burgundian faction, had received a great injury from the other party, which the implacable spirit of that princess was never able to forgive. The public necessities obliged the count of Armagnac, created constable of France, in the place of d'Albret, to seize the great treasures which Isabella had amassed: and, when she expressed her displeasure at this injury, he inspired into the weak mind of the king some jealousies concerning her conduct, and pushed him to seize and put to the torture, and afterwards throw into the Seine, Bois-Bourdon, her favourite, whom he accused of a commerce of gallantry with that princess. The queen herself was sent to Tours, and confined under a guard;<sup>2</sup> and, after suffering these multiplied insults, she no longer scrupled to enter into a correspondence with the duke of Burgundy. As her son, the dauphin, Charles, a youth of sixteen, was entirely governed by the faction of Armagnac, she extended her animosity to him, and sought his destruction with the most unrelenting hatred. She had soon an opportunity of rendering her unnatural purpose effectual. The duke of Burgundy, in concert with her, entered France at the head of a great army: he made himself master of Amiens, Abbeville, Dourlens, Montreuil, and other towns in Picardy; Senlis, Rheims, Chalons, Troye and Auxerre, declared themselves of his party.<sup>3</sup> He got possession of Beaumont, Pontoise, Vernon, Meulant, Montlheri, towns in the neighbourhood of Paris; and carrying farther his progress towards the west, he seized Etampes, Chartres and other fortresses; and was, at last, able to deliver the queen, who fled to Troye, and

1417.

<sup>1</sup> La Laboureur, liv. xxxv. chap. 10.    <sup>2</sup> St. Remi, chap. 74. Monstrelet, chap. 167.    <sup>3</sup> St. Remi, chap. 79.

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openly declared against those ministers, who, she said, detained her husband in captivity.<sup>1</sup>

Meanwhile, the partisans of Burgundy raised a commotion in Paris, which always inclined to that faction. Lile-Adam, one of the duke's captains, was received into the city in the night time, and headed the insurrection of the people, which, in a moment, became so impetuous that nothing could oppose it. The person of the king was seized: the dauphin made his escape with difficulty: great numbers of the faction of Armagnac were immediately butchered: the count himself, and many persons of note, were thrown into prison: murders were daily committed from private animosity, under pretence of faction: and the populace, not satiated with their fury, and deeming the course of public justice too dilatory, broke into the prisons and put to death the count of Armagnac, and all the other nobility who were there confined.<sup>2</sup>

New invasion of  
France.  
1st Aug.  
1418.

While France was in such a furious combustion, and was so ill prepared to resist a foreign enemy, Henry, having collected some treasure, and levied an army, landed in Normandy, at the head of twenty-five thousand men, and met with no considerable opposition from any quarter. He made himself master of Falaise; Evreux and Caen submitted to him; Ponte de l'Arche opened its gates; and Henry, having subdued all the Lower Normandy, and having received a reinforcement of fifteen thousand men from England,<sup>3</sup> formed the siege of Rouen, which was defended by a garrison of four thousand men, seconded by the inhabitants, to the number of fifteen thousand.<sup>4</sup> The cardinal des Ursins here attempted to incline him towards peace, and to moderate his pretensions. But the king replied to him in such terms, as showed that he was fully sensible of all his present advantages: "Do you not see," said he, "that God has led me hither, as by the hand? France has no sovereign: I have just pretensions to that kingdom: every thing is here in the utmost confusion: no one thinks of resisting me. Can I have a more sensible proof, that the Being who disposes of empires, has determined to put the crown of France upon my head."<sup>5</sup>

But though Henry had opened his mind to this scheme of ambition, he still continued to negotiate with his enemies, and endeavoured to obtain more secure, though less considerable advantages. He made, at the same time, offers of peace to both parties; to the queen and duke of Burgundy, on the one hand, who, having possession of the king's person, carried the appearance of legal authority;<sup>6</sup> and to the dauphin on the other, who, being the undoubted heir of the monarchy, was adhered to by every one that paid any regard to the true interests of their country.<sup>7</sup> These two parties, also, carried on a continual ne-

<sup>1</sup> St. Remi, chap. 81. Monstrelet, chap. 178, 179. <sup>2</sup> St. Remi, chap. 85, 86. Monstrelet, chap. 118. <sup>3</sup> Walsingham, p. 400. <sup>4</sup> St. Remi, chap. 91. <sup>5</sup> Juvenal des Ursins. <sup>6</sup> Rymer, vol. ix. p. 717, 749. <sup>7</sup> Ibid. p. 626, &c.

negotiation with each other. The terms proposed, on all sides, were perpetually varying: the events of the war, and the intrigues of the cabinet, intermingled with each other: and the fate of France remained long in this uncertainty. After many negotiations, Henry offered the queen and the duke of Burgundy, to make peace with them, to espouse the princess Catherine, and to accept of all the provinces, ceded to Edward III. by the treaty of Bretigni, with the addition of Normandy, which he was to receive in full and entire sovereignty.<sup>1</sup> These terms were submitted to: there remained only some circumstances to adjust, in order to the entire completion of the treaty: but, in this interval, the duke of Burgundy secretly finished his treaty with the dauphin; and these two princes agreed to share the royal authority, during king Charles's lifetime, and to unite their arms, in order to expel foreign enemies.<sup>2</sup>

This alliance, which seemed to cut off from Henry all hopes of farther success, proved, in the issue, the most favourable event that could have happened for his pretensions. Whether the dauphin and the duke of Burgundy were ever sincere, in their mutual engagements, is uncertain; but very fatal effects resulted from their momentary and seeming union. The two princes agreed to an interview, in order to concert the means of rendering effectual their common attack on the English; but how both, or either of them could, with safety, venture upon this conference, it seemed somewhat difficult to contrive. The assassination, perpetrated by the duke of Burgundy, and still more, his open avowal of the deed, and defence of the doctrine, tended to dissolve all the bands of civil society; and even men of honour, who detested the example, might deem it just, on a favourable opportunity, to retaliate upon the author. The duke, therefore, who neither dared to give, nor could pretend to expect any trust, agreed to all the contrivances, for mutual security, which were proposed by the ministers of the dauphin. The two princes came to Montereau: the duke lodged in the castle, the dauphin in the town, which was divided from the castle, by the river Yonne: the bridge between them was chosen for the place of interview: two high rails were drawn across the bridge: the gates, on each side, were guarded, one by the officers of the dauphin, the other by those of the duke: the princes were to enter into the intermediate space, by the opposite gates, accompanied each by ten persons; and, with all these marks of diffidence, to conciliate their mutual friendship. But it appeared that no precautions are sufficient, where laws have no place, and where all principles of honour are utterly abandoned. Tanegui de Chatel, and others of the dauphin's retainers, had been zealous partisans of the late duke of Orleans; and they determined to seize the opportunity of revenging, on the assassin, the murder of that prince: they no sooner entered the rails, than

<sup>1</sup> Rymer, vol. ix. p. 762.    <sup>2</sup> Ibid. p. 776. St. Remi, chap. 95.

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Assassina-  
tion of the  
duke of  
Burgundy.

they drew their swords, and attacked the duke of Burgundy: his friends were astonished, and thought not of making any defence; and all of them either shared his fate, or were taken prisoners by the retinue of the dauphin.<sup>1</sup>

The extreme youth of this prince made it doubtful whether he had been admitted into the secret of the conspiracy; but, as the deed was committed under his eye, by his most intimate friends, who still retained their connexions with him, the blame of the action, which was certainly more imprudent than criminal, fell entirely upon him. The whole state of affairs was every where changed, by this unexpected incident. The city of Paris, passionately devoted to the family of Burgundy, broke out into the highest fury against the dauphin. The court of king Charles entered, from interest, into the same views; and, as all the ministers of that monarch had owed their preferment to the late duke, and foresaw their downfall, if the dauphin should recover possession of his father's person, they were concerned to prevent, by any means, the success of his enterprise. The queen, by persevering in her unnatural hatred against her son, increased the general flame, and inspired into the king, as far as he was susceptible of any sentiment, the same prejudices by which she herself had long been actuated. But, above all, Philip, count of Charolois, now duke of Burgundy, thought himself bound, by every tie of honour and of duty, to revenge the murder of his father, and to prosecute the assassin to the utmost extremity. And, in this general transport of rage, every consideration of national and family interest was buried in oblivion, by all parties: the subjection to a foreign enemy, the expulsion of the lawful heir, the slavery of the kingdom, appeared but small evils, if they led to the gratification of present passion.

The king of England had, before the death of the duke of Burgundy, profited extremely by the distractions of France, and was daily making a considerable progress in Normandy. He had taken Rouen, after an obstinate siege:<sup>2</sup> he had made himself master of Pontoise and Gisors: he even threatened Paris, and, by the terror of his arms, had obliged the court to remove to Troye: and, in the midst of his successes, he was agreeably surprised to find his enemies, instead of combining against him, for their mutual defence, disposed to rush into his arms, and to make him the instrument of their vengeance upon each other. A league was immediately concluded, at Arras, between him and the duke of Burgundy. This prince, without stipulating any thing for himself, except the prosecution of his father's murder, and the marriage of the duke of Bedford with his sister, was willing to sacrifice the kingdom to Henry's ambition; and he agreed to every demand made by that monarch.

<sup>1</sup> St. Remi, chap. 97. Monstrelet, chap. 211. T. Livii, p. 69. Monstrelet, chap. 201.



In order to finish this astonishing treaty, which was to transfer the crown of France to a stranger, Henry went to Troye, accompanied by his brothers, the dukes of Clarence and Gloucester; and was there met by the duke of Burgundy. The imbecility into which Charles had fallen, made him incapable of seeing any thing but through the eyes of those who attended him: as they, on their part, saw every thing through the medium of their passions. The treaty, being already concerted among the parties, was immediately drawn, and signed, and ratified: Henry's will seemed to be a law, throughout the whole negotiation: nothing was attended to but his advantages.

The principal articles of the treaty were, that Henry should espouse the princess Catherine; that king Charles, during his lifetime, should enjoy the title and dignity of king of France: that Henry should be declared and acknowledged heir of the monarchy, and be entrusted with the present administration of the government: that that kingdom should pass to his heirs general; that France and England should, for ever, be united under one king; but still retain their several usages, customs, and privileges: that all the princes, peers, vassals, and communities of France should swear, that they would both adhere to the future succession of Henry, and pay him present obedience, as regent: that this prince should unite his arms to those of king Charles and the duke of Burgundy, in order to subdue the adherents of Charles, the pretended dauphin: and, that these princes should make no peace or truce with him, but by common consent and agreement.<sup>1</sup>

Such was the tenor of this famous treaty; a treaty which, as nothing but the most violent animosity could dictate it, so nothing but the power of the sword could carry into execution. It is hard to say, whether its consequences, had it taken effect, would have proved more pernicious to England or to France. It must have reduced the former kingdom to the rank of a province: it would have entirely disjointed the succession of the latter, and have brought on the destruction of every descendant of the royal family; as the houses of Orleans, Anjou, Alençon, Brittany, Bourbon, and of Burgundy itself, whose titles were preferable to that of the English princes, would, on that account, have been exposed to perpetual jealousy and persecution from the sovereign. There was even a palpable deficiency in Henry's claim, which no art could palliate. For, besides the insuperable objections to which Edward III.'s pretensions were exposed, *he* was not heir to that monarch: if female succession were admitted, the right had devolved on the house of Mortimer: allowing that Richard II. was a tyrant, and that Henry IV.'s merits, in deposing him, were so great towards the English, as to justify that nation, in placing him on the throne; Richard had nowise offended France, and his rival had merited

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1420.  
Treaty of  
Troye.

<sup>1</sup> Rymer, vol. ix. p. 895. St. Remi, chap. 101. Monstrelet, cap. 223.

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1420.

Marriage  
of the  
king.

nothing of that kingdom: it could not possibly be pretended that the crown of France was become an appendage to that of England; and that a prince, who, by any means, got possession of the latter, was, without farther question, entitled to the former. So that, on the whole, it must be allowed, that Henry's claim to France, was, if possible, still more unintelligible than the title, by which his father had mounted the throne of England.

But, though all these considerations were overlooked, amidst the hurry of passion, by which the courts of France and Burgundy were actuated, they would necessarily revive, during times of more tranquillity; and it behoved Henry to push his present advantages, and allow men no leisure for reason or reflection. In a few days after, he espoused the princess, Catherine: he carried his father-in-law to Paris, and put himself in possession of that capital: he obtained, from the parliament and the three estates, a ratification of the treaty of Troye: he supported the duke of Burgundy, in procuring a sentence against the murderers of his father: and he immediately turned his arms, with success, against the adherents of the dauphin, who, as soon as he heard of the treaty of Troye, took on him the style and authority of regent, and appealed to God and his sword for the maintenance of his title.

The first place that Henry subdued was Sens, which opened its gates, after a slight resistance. With the same facility he made himself master of Montereau. The defence of Melun was more obstinate: Barbasan, the governor, held out, for the space of four months, against the besiegers; and it was famine, alone, which obliged him to capitulate. Henry stipulated to spare the lives of all the garrison, except such as were accomplices in the murder of the duke of Burgundy: and as Barbasan himself was suspected to be of the number, his punishment was demanded, by Philip: but the king had the generosity to intercede for him, and to prevent his execution.<sup>1</sup>

The necessity of providing supplies, both of men and money, obliged Henry to go over to England; and he left the duke of Exeter, his uncle, governor of Paris, during his absence. The authority which naturally attends success, procured, from the English parliament, a subsidy of a fifteenth; but, if we may judge by the scantiness of the supply, the nation was nowise sanguine on their king's victories; and, in proportion as the prospect of their union with France became nearer, they began to open their eyes, and to see the dangerous consequences with which that event must necessarily be attended. It was fortunate for Henry, that he had other resources, besides pecuniary supplies from his native subjects. The provinces which he had already conquered, maintained his troops; and the hopes of farther advantages allured to his standard all men of ambitious spirits, in England, who desired to signalize themselves by arms. He

<sup>1</sup> Hollingshed, p. 577.

levied a new army, of twenty-four thousand archers and four thousand horsemen,<sup>1</sup> and marched them to Dover, the place of rendezvous. Every thing had remained in tranquillity, at Paris, under the duke of Exeter; but there had happened, in another quarter of the kingdom, a misfortune which hastened the king's embarkation.

The detention of the young king of Scots, in England, had hitherto proved advantageous to Henry; and, by keeping the regent in awe, had preserved, during the whole course of the French war, the northern frontier in tranquillity. But, when intelligence arrived in Scotland, of the progress made by Henry, and the near prospect of his succession to the crown of France, the nation was alarmed, and foresaw their own inevitable ruin, if the subjection of their ally, left them to combat, alone, a victorious enemy, who was already so much superior in power and riches. The regent entered into the same views; and, though he declined an open rupture with England, he permitted a body of seven thousand Scots, under the command of the earl of Buchan, his second son, to be transported into France, for the service of the dauphin. To render this aid ineffectual, Henry had, in his former expedition, carried over the king of Scots, whom he obliged to send orders to his countrymen to leave the French service; but the Scottish general replied, that he would obey no commands which came from a king in captivity; and that a prince, while in the hands of his enemy, was nowise entitled to authority. These troops, therefore, continued still to act under the earl of Buchan; and were employed, by the dauphin, to oppose the progress of the duke of Clarence, in Anjou. The two armies encountered at Bauge: the English were defeated: the duke himself was slain, by Sir Allen Swinton, a Scotch knight, who commanded a company of men at arms: and the earls of Somerset,<sup>2</sup> Dorset, and Huntingdon, were taken prisoners.<sup>3</sup> This was the first action that turned the tide of success against the English; and the dauphin, that he might both attach the Scotch to his service, and reward the valour and conduct of the earl of Buchan, honoured that nobleman with the office of constable.

But, the arrival of the king of England, with so considerable an army, was more than sufficient to repair this loss. Henry was received at Paris, with great expressions of joy; so obstinate were the prejudices of the people; and he immediately conducted his army to Chartres, which had long been besieged by the dauphin. That prince raised the siege on the approach of the English; and being resolved to decline a battle, he retired with his army.<sup>4</sup> Henry made himself master of Dreux, without a

<sup>1</sup> Monstrelet, chap. 242. <sup>2</sup> His name was John, and he was afterwards created duke of Somerset. He was grandson of John, of Gaunt, duke of Lancaster. The earl of Dorset was brother to Somerset, and succeeded him in that title. <sup>3</sup> St. Remi, chap. 110. Monstrelet, chap. 239. Hall, fol. 76. <sup>4</sup> St. Remi, chap. 3.

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blow: he laid siege to Meaux, at the solicitation of the Parisians, who were much incommoded by the garrison of that place. This enterprise employed the English arms during the space of eight months: the bastard of Vaurus, governor of Meaux, distinguished himself by an obstinate defence: but was at last obliged to surrender at discretion. The cruelty of this officer was equal to his bravery: he was accustomed to hang, without distinction, all the English and Burgundians who fell into his hands: and Henry, in revenge of his barbarity, ordered him immediately to be hanged on the same tree which he had made the instrument of his inhuman executions.<sup>1</sup>

This success was followed by the surrender of many other places in the neighbourhood of Paris, which held for the dauphin: that prince was chased beyond the Loire, and he almost totally abandoned all the northern provinces: he was even pursued into the south, by the united arms of the English and Burgundians, and threatened with total destruction. Notwithstanding the bravery and fidelity of his captains, he saw himself unequal to his enemies in the field; and found it necessary to temporize, and to avoid all hazardous actions with a rival, who had gained so much the ascendant over him. And to crown all the other prosperities of Henry, his queen was delivered of a son, who was called by his father's name, and whose birth was celebrated by rejoicings no less pompous, and no less sincere, at Paris than at London. The infant prince seemed to be universally regarded as the future heir of both monarchies.

1422.  
Death.

But the glory of Henry, when it had nearly reached the summit, was stopped short, by the hand of nature; and all his mighty projects vanished into smoke. He was seized with a fistula, a malady, which the surgeons, at that time, had not skill enough to cure; and he was, at last, sensible that his distemper was mortal, and that his end was approaching. He sent for his brother, the duke of Bedford, the earl of Warwick, and a few noblemen more, whom he had honoured with his friendship, and he delivered to them, in great tranquillity, his last will, with regard to the government of his kingdom and family. He entreated them to continue, towards his infant son, the same fidelity and attachment, which they had always professed to himself, during his lifetime, and which had been cemented by so many mutual good offices. He expressed his indifference on the approach of death; and, though he regretted that he must leave unfinished a work so happily begun, he declared himself confident, that the final acquisition of France would be the effect of their prudence and valour. He left the regency of that kingdom to his elder brother, the duke of Bedford; that of England to his younger, the duke of Gloucester; and the care of his son's person, to the earl of Warwick. He recommended to all of them a great attention

<sup>1</sup> Rymer, vol. x. p. 212. T. Livii, p. 92, 93. St. Remi, chap. 116. Monstrelet, chap. 260.



to maintain the friendship of the duke of Burgundy; and advised them never to give liberty to the French princes, taken at Azincour, till his son were of age, and could, himself, hold the reins of government. And he conjured them, if the success of their arms should not enable them to place young Henry on the throne of France, never, at least, to make peace with that kingdom, unless the enemy, by the cession of Normandy, and its annexation to the crown of England, made compensation for all the hazard and expense of his enterprise.<sup>1</sup>

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He next applied himself to his devotions, and ordered his chaplain to recite the seven penitential psalms. When that passage of the fifty-first psalm was read, *Build thou the walls of Jerusalem*, he interrupted the chaplain, and declared his serious intention, after he should have fully subdued France, to conduct a crusade against the infidels, and recover possession of the Holy Land.<sup>2</sup> So ingenious are men in deceiving themselves, that Henry forgot, in those moments, all the blood spilt by his ambition; and received comfort from this late and feeble resolve, which, as the mode of these enterprises was now past, he certainly would never have carried into execution. He expired in the thirty-fourth year of 31st Aug. his age, and the tenth of his reign.

This prince possessed many eminent virtues; and, if we give indulgence to ambition in a monarch, or rank it, as the vulgar are inclined to do, among his virtues, they were unstained by any considerable blemish. His abilities appeared equally in the cabinet and in the field: the boldness of his enterprises was no less remarkable than his personal valour in conducting them. He had the talent of attaching his friends by affability, and of gaining his enemies by address and clemency. The English, dazzled by the lustre of his character, still more than by that of his victories, were reconciled to the defects in his title: the French almost forgot that he was an enemy: and his care in maintaining justice, in his civil administration, and preserving discipline in his armies, made some amends to both nations for the calamities inseparable from those wars, in which his short reign was almost entirely occupied. That he could forgive the earl of Marche, who had a better title to the crown than himself, is a sure indication of his magnanimity; and that the earl relied so entirely on his friendship, is no less a proof of his established character for candour and sincerity. There remain, in history, few instances of such mutual trust; and still fewer, where neither party found reason to repent it.

The exterior figure of this great prince, as well as his deportment, was engaging. His stature was somewhat above the middle size; his countenance beautiful; his limbs genteel and slender, but full of vigour, and he excelled in all warlike and manly exercises.<sup>3</sup> He left, by his queen Catherine, of France, only one

<sup>1</sup> Monstrel. chap. 265. Hall, fol. 80. <sup>2</sup> St. Remi, chap. 118. Monstrel. chap. 265. <sup>3</sup> T. Livii, p. 4.

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son, not full nine months old; whose misfortunes, in the course of his life, surpassed all the glories and successes of his father.

In less than two months after Henry's death, Charles VI. of France, his father-in-law, terminated his unhappy life. He had, for several years, possessed only the appearance of royal authority: yet was this mere appearance of considerable advantage to the English; and divided the duty and affections of the French between them and the dauphin. This prince was proclaimed, and crowned king of France, at Poitiers, by the name of Charles VII. Rheims, the place where this ceremony is usually performed, was, at that time, in the hands of his enemies.

Catherine, of France, Henry's widow, married, soon after his death, a Welch gentleman, Sir Owen Tudor, said to be descended from the ancient princes of that country: she bore him two sons, Edmund and Jasper, of whom the eldest was created earl of Richmond; the second, earl of Pembroke. The family of Tudor, first raised to distinction by this alliance, mounted, afterwards, the throne of England.

The long schism, which had divided the Latin church for near forty years, was finally terminated in this reign, by the council of Constance; which deposed the pope John XXIII. for his crimes, and elected Martin V. in his place, who was acknowledged by almost all the kingdoms of Europe. This great and unusual act of authority in the council, gave the Roman pontiffs, ever after, a mortal antipathy to those assemblies. The same jealousy, which had long prevailed in most European countries, between the civil aristocracy and monarchy, now also took place between these powers in the ecclesiastical body. But the great separation of the bishops, in the several states, and the difficulty of assembling them, gave the pope a mighty advantage, and made it more easy for him to centre all the powers of the hierarchy in his own person. The cruelty and treachery, which attended the punishment of John Huss, and Jérôme, of Prague, the unhappy disciples of Wickliffe, who, in violation of a safe conduct, were burned alive for their errors, by the council of Constance, prove this melancholy truth, that toleration is none of the virtues of priests, in any form of ecclesiastical government. But, as the English nation had little, or no concern, in these great transactions, we are here the more concise in relating them.

The first commission of array which we meet with, was issued in this reign.<sup>1</sup> The military part of the feudal system, which was the most essential circumstance of it, was entirely dissolved; and could no longer serve for the defence of the kingdom. Henry, therefore, when he went to France, in 1415, empowered certain commissioners to take, in each county, a review of all the freemen, able to bear arms, to divide them into companies, and to keep them in readiness for resisting an enemy.

<sup>1</sup> Rymer, vol. ix. p. 254, 255.

This was the era when the feudal militia in England gave place to one, which was, perhaps, still less orderly and regular.

We have an authentic and exact account of the ordinary revenue of the crown during this reign; and it amounts only to fifty-five thousand seven hundred and fourteen pounds, ten shillings and ten pence a year.<sup>1</sup> This is nearly the same with the revenue of Henry III. and the kings of England had neither become much richer, nor poorer, in the course of so many years. The ordinary expense of the government amounted to forty-two thousand five hundred and seven pounds, sixteen shillings and ten pence: so that the king had a surplus only of thirteen thousand two hundred and six pounds fourteen shillings, for the support of his household; for his wardrobe; for the expense of embassies, and other articles. This sum was nowise sufficient; he was, therefore, obliged to have frequent recourse to parliamentary supplies, and was thus, even in time of peace, not altogether independent of his people. But wars were attended with great expense, which neither the prince's ordinary revenue, nor the extraordinary supplies, were able to bear; and the sovereign was always reduced to many miserable shifts, in order to make any tolerable figure in them. He commonly borrowed money from all quarters; he pawned his jewels, and sometimes the crown itself;<sup>2</sup> he ran in arrears to his army; and he was often obliged, notwithstanding all these expedients, to stop in the midst of his career of victory; and to grant truces to the enemy. The high pay, which was given to soldiers, agreed very ill with this low income. All the extraordinary supplies, granted by parliament to Henry, during the course of his reign, were only seven tenths and fifteenths, about two hundred and three thousand pounds.<sup>3</sup> It is easy to compute how soon this money must be exhausted by armies of twenty-four thousand archers, and six thousand horse; when each archer had six pence a day,<sup>4</sup> and each horseman two shillings. The most splendid successes proved commonly fruitless, when supported by so poor a revenue; and the debts and difficulties, which the king thereby incurred, made him pay dear for his victories. The civil administration, likewise, even in time of peace, could never be very regular, where the government was so ill enabled to support itself. Henry, till within a year of his death, owed debts which he had contracted when prince of Wales.<sup>5</sup> It was in vain that the parliament pretended to restrain him from arbitrary practices, when he was reduced to such necessities. Though the right of levying purveyance, for instance, had been expressly guarded against, by the Great Charter itself, and was frequently complained of by the

<sup>1</sup> Rymer, vol. x. p. 113. <sup>2</sup> Ibid. p. 190. <sup>3</sup> Parliamentary History, vol. ii. p. 168. <sup>4</sup> It appears, from many passages of Rymer, particularly vol. ix. p. 258, that the king paid twenty marks a year for an archer, which is a good deal above six pence a day. The price had risen, as is natural, by raising the denomination of money. <sup>5</sup> Rymer, vol. x. p. 114.

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commons, it was found absolutely impracticable to abolish it ; and the parliament, at length, submitting to it as a legal prerogative, contented themselves with enacting laws to limit and confine it. The duke of Gloucester, in the reign of Richard II. possessed a revenue of sixty thousand crowns (about thirty thousand pounds a year of our present money,) as we learn from Froissard,<sup>1</sup> and was, consequently, richer than the king himself, if all circumstances be duly considered.

It is remarkable, that the city of Calais, alone, was an annual expense to the crown, of nineteen thousand one hundred and nineteen pounds ;<sup>2</sup> that is, above a third of the common charge of the government, in time of peace. This fortress was of no use to the defence of England, and only gave that kingdom an inlet to annoy France. Ireland cost two thousand pounds a year over and above its own revenue ; which was certainly very low. Every thing conspires to give us a very mean idea of the state of Europe in those ages.

From the most early times, till the reign of Edward III. the denomination of money had never been altered : a pound sterling was still a pound troy ; that is, about three pounds of our present money. That conqueror was the first that innovated in this important article. In the twentieth of his reign, he coined twenty-two shillings from a pound troy ; in his twenty-seventh year he coined twenty-five shillings. But Henry V. who was also a conqueror, raised still farther the denomination, and coined thirty shillings from a pound troy ;<sup>3</sup> his revenue, therefore, must have been about one hundred and ten thousand pounds, of our present money ; and by the cheapness of provisions, was equivalent to above three hundred and thirty thousand pounds.

None of the princes of the house of Lancaster ventured to impose taxes without consent of parliament : their doubtful or bad title, became so far of advantage to the constitution. The rule was then fixed, and could not safely be broken afterwards, even by more absolute princes.

<sup>1</sup> Liv. iv. chap. 86.    <sup>2</sup> Rymer, vol. x. p. 113.    <sup>3</sup> Fleetwood's *Chronicon Preciosum*, p. 52.



## CHAPTER XX:

## HENRY VI.

Government during the Minority—State of France—Military Operations—Battle of Verneuil—Siege of Orleans—The Maid of Orleans—The Siege of Orleans raised—The King of France crowned at Rheims—Prudence of the duke of Bedford—Execution of the Maid of Orleans—Defection of the duke of Burgundy—Death of the duke of Bedford—Decline of the English in France—Truce with France—Marriage of the King with Margaret, of Anjou—Murder of the duke of Gloucester—State of France—Renewal of the War with France—The English expelled France.

DURING the reigns of the Lancastrian princes, the authority of parliament seems to have been more confirmed, and the privileges of the people more regarded, than during any former period; and the two preceding kings, though men of great spirit and abilities, abstained from such exertions of prerogative, as even weak princes, whose title was undisputed, were tempted to think they might venture upon with impunity. The long minority, of which there was now the prospect, encouraged still farther the lords and commons to extend their influence, and without paying much regard to the verbal destination of Henry V. they assumed the power of giving a new arrangement to the whole administration. They declined, altogether, the name of *Regent*, with regard to England: they appointed the duke of Bedford *protector* or *guardian* of that kingdom, a title, which they supposed to imply less authority: they invested the duke of Gloucester with the same dignity, during the absence of his elder brother:<sup>1</sup> and, in order to limit the power of both these princes, they appointed a council, without whose advice and approbation, no measure, of importance could be determined.<sup>2</sup> The person and education of the infant prince, was committed to Henry Beaufort, bishop of Winchester, his great uncle, and the legitimated son of John, of Gaunt, duke of Lancaster; a prelate who, as his family could never have any pretensions to the crown, might safely, they thought, be entrusted with that important charge.<sup>3</sup> The two princes, the dukes of Bedford and Gloucester, who seemed injured by this plan of government, yet being persons of great integrity and honour, acquiesced in any appointment, which tended to give security to the public; and, as the wars in France appeared to be the object of greatest moment, they avoided every dispute which might throw an obstacle in the way of foreign conquests.

When the state of affairs, between the English and French State of kings, was considered with a superficial eye, every advantage France.

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<sup>1</sup> Rymer, vol. x. p. 261. Cotton, p. 564. <sup>2</sup> Cotton, p. 564. <sup>3</sup> Hall, fol. 83. Monstrelet, vol. ii. p. 27.

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seemed to be on the side of the former: and the total expulsion of Charles, appeared to be an event, which might naturally be expected from the superior power of his competitor. Though Henry was yet in his infancy, the administration was devolved on the duke of Bedford, the most accomplished prince of his age; whose experience, prudence, valour, and generosity, qualified him for his high office, and enabled him, both to maintain union among his friends, and to gain the confidence of his enemies. The whole power of England was at his command: he was at the head of armies, inured to victory: he was seconded by the most renowned generals of the age, the earls of Somerset, Warwick, Salisbury, Suffolk, and Arundel, Sir John Talbot, and Sir John Fastolfe: and besides Guienne, the ancient inheritance of England, he was master of the capital, and of almost all the northern provinces, which were well enabled to furnish him with supplies, both of men and money, and to assist and support his English forces.

But Charles, notwithstanding the present inferiority of his power, possessed some advantages, derived, partly, from his situation, partly from his personal character, which promised him success, and served, first to control, then to overbalance the superior force and opulence of his enemies. He was the true and undoubted heir of the monarchy: all Frenchmen, who knew the interests, or desired the independence of their country, turned their eyes towards him as its sole resource: the exclusion given him by the imbecility of his father, and the forced, or precipitate consent of the states, had plainly no validity; that spirit of faction, which had blinded the people, could not long hold them in so gross a delusion: their national and inveterate hatred against the English, the authors of all their calamities, must soon revive, and inspire them with indignation, at bending their necks under the yoke of that hostile people: great nobles and princes, accustomed to maintain an independence against their native sovereigns, would never endure a subjection to strangers: and though most of the princes of the blood were, since the fatal battle of Azincour, detained prisoners in England, the inhabitants of their demesnes, their friends, their vassals, all declared a zealous attachment to the king, and exerted themselves in resisting the violence of foreign invaders.

Charles himself, though only in his twentieth year, was of a character well calculated to become the object of these benevolent sentiments; and perhaps, from the favour, which naturally attends youth, was the more likely, on account of his tender age, to acquire the good-will of his native subjects. He was a prince of the most friendly and benign disposition, of easy and familiar manners, and of a just and sound, though not a very vigorous understanding. Sincere, generous, affable, he engaged, from affection, the services of his followers, even while his low fortunes might make it their interest to desert him; and the lenity of his temper could pardon, in them, those sallies of discontent to which

princes, in his situation, are so frequently exposed. The love of pleasure often seduced him into indolence; but, amidst all his irregularities, the goodness of his heart still shone forth; and, by exerting, at intervals, his courage and activity, he proved, that his general remissness proceeded not from the want, either of a just spirit of ambition, or of personal valour.

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Though the virtues of this amiable prince lay some time in obscurity, the duke of Bedford knew that his title, alone, made him formidable, and that every foreign assistance would be requisite, ere an English regent could hope to complete the conquest of France; an enterprise which, however it might seem to be much advanced, was still exposed to many and great difficulties. The chief circumstance, which had procured to the English all their present advantages, was the resentment of the duke of Burgundy against Charles, and as that prince seemed intent, rather on gratifying his passion, than consulting his interests, it was the more easy for the regent, by demonstrations of respect and confidence, to retain him in the alliance of England.

He bent, therefore, all his endeavours to that purpose: he gave the duke every proof of friendship and regard: he even offered him the regency of France, which Philip declined: and, that he might corroborate national connexions by private ties, he concluded his own marriage with the princess of Burgundy, which had been stipulated by the treaty of Arras.

Being sensible that, next to the alliance of Burgundy, the friendship of the duke of Brittany was of the greatest importance towards forwarding the English conquests; and that, as the provinces of France, already subdued, lay between the dominions of these two princes, he could never hope for any security, without preserving his connexions with them; he was very intent on strengthening himself, also, from that quarter. The duke of Brittany, having received many just reasons of displeasure from the ministers of Charles, had already acceded to the treaty of Troye, and had, with other vassals of the crown, done homage to Henry V. in quality of heir to the kingdom: but, as the regent knew, that the duke was much governed by his brother, the count of Richemont, he endeavoured to fix his friendship, by paying court and doing services to this haughty and ambitious prince.

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Arthur, count of Richemont, had been taken prisoner at the battle of Azincour, had been treated with great indulgence by the late king, and had even been permitted, on his parole, to take a journey into Brittany, where the state of affairs required his presence. The death of that victorious monarch happened before Richemont's return; and this prince pretended, that, as his word was given personally to Henry V. he was not bound to fulfil it towards his son and successor; a chicane which the regent, as he could not force him to compliance, deemed it prudent to overlook. An interview was settled at Amiens, between the dukes of Bedford, Burgundy, and Brittany, at which the count

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of Richemont was also present.<sup>1</sup> The alliance was renewed between these princes: and the regent persuaded Philip to give, in marriage, to Richemont, his eldest sister, widow of the deceased dauphin, Lewis, the elder brother of Charles. Thus Arthur was connected, both with the regent and the duke of Burgundy, and seemed engaged, by interest, to prosecute the same object, in forwarding the success of the English arms.

While the vigilance of the duke of Bedford was employed in gaining or confirming these allies, whose vicinity rendered them so important, he did not overlook the state of more remote countries. The duke of Albany, regent of Scotland, had died; and his power had devolved on Murdac, his son, a prince of a weak understanding, and indolent disposition; who, far from possessing the talents requisite for the government of that fierce people, was not even able to maintain authority in his own family, or restrain the petulance and insolence of his sons. The ardour of the Scots to serve in France, where Charles treated them with great honour and distinction, and where the regent's brother enjoyed the dignity of constable, broke out afresh under this feeble administration: new succours daily came over, and filled the armies of the French king: the earl of Douglas conducted a reinforcement of five thousand men to his assistance: and it was justly to be dreaded, that the Scots, by commencing open hostilities in the north, would occasion a diversion still more considerable of the English power, and would ease Charles, in part, of that load by which he was, at present so grievously oppressed. The duke of Bedford, therefore, persuaded the English council to form an alliance with James, their prisoner; to free that prince from his long captivity; and to connect him with England by marrying him to a daughter of the earl of Somerset, and cousin of the young king.<sup>2</sup> As the Scottish regent, tired of his present dignity, which he was not able to support, was now become entirely sincere in his applications for James's liberty, the treaty was soon concluded; a ransom of forty thousand pounds was stipulated;<sup>3</sup> and the king of Scots was restored to the throne of his ancestors, and proved, in his short reign, one of the most illustrious princes that had ever governed that kingdom. He was murdered, in 1437, by his traitorous kinsman, the earl of Athole. His affections inclined to the side of France; but the English had never reason, during his lifetime, to complain of any breach of the neutrality of Scotland.

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opera-  
tions.

But the regent was not so much employed in these political negotiations, as to neglect the operations of war, from which, alone, he could hope to succeed in expelling the French monarch. Though the chief seat of Charles's power lay in the southern provinces, beyond the Loire, his partisans were possessed of

<sup>1</sup> Hall, fol. 84. Monstrelet, vol. i. p. 4. Stowe, p. 364. <sup>2</sup> Hall, fol. 86. Stowe, p. 364. Grafton, p. 501 <sup>3</sup> Rymer, vol. x. p. 299, 300, 326.



some fortresses in the northern, and even in the neighbourhood of Paris; and it behoved the duke of Bedford first to clear these countries from the enemy, before he could think of attempting more distant conquests. The castle of Dorsoy was taken, after a siege of six weeks: that of Noyelle, and the town of Rue, in Picardy, underwent the same fate: Pont sur Seine, Vertus, Montaignu, were subjected by the English arms: and a more considerable advantage was soon after gained, by the united forces of England and Burgundy. John Stuart, constable of Scotland, and the lord of Estissac, had formed the siege of Crevant, in Burgundy: the earls of Salisbury and Suffolk, with the count of Toulangeon, were sent to its relief: a fierce and well disputed action ensued: the Scots and French were defeated: the constable of Scotland and the count of Ventadour were taken prisoners; and above a thousand men, among whom was Sir William Hamilton, were left on the field of battle.<sup>1</sup> The taking of Gaillon, upon the Seine, and of La Charite, upon the Loire, was the fruit of this victory; and, as this latter place opened an entrance into the southern provinces, the acquisition of it appeared, on that account, of the greater importance to the duke of Bedford, and seemed to promise a successful issue to the war.

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The more Charles was threatened with an invasion in those provinces which adhered to him, the more necessary it became that he should retain possession of every fortress which he still held within the quarters of the enemy. The duke of Bedford had besieged, in person, during the space of three months, the town of Yvri, in Normandy; and the brave governor, unable to make any longer defence, was obliged to capitulate; and he agreed to surrender the town, if, before a certain term, no relief arrived. Charles, informed of these conditions, determined to make an attempt for saving the place. He collected, with some difficulty, an army of fourteen thousand men, of whom one half were Scots; and he sent them thither, under the command of the earl of Buchan, constable of France, who was attended by the earl of Douglas, his countryman, the duke of Alençon, the marshal de la Fayette, the count of Aumale, and the viscount of Narbonne. When the constable arrived within a few leagues of Yvri, he found that he was come too late, and that the place was already surrendered. He immediately turned to the left, and sat down before Verneuil, which the inhabitants, in spite of the garrison, delivered up to him.<sup>2</sup> Buchan might now have returned in safety, and with the glory of making an acquisition no less important than the place which he was sent to relieve: but hearing of Bedford's approach, he called a council of war, in order to deliberate concerning the conduct which he should hold in this emergency. The wiser part of the council declared for a retreat;

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<sup>1</sup> Hall, fol. 85. Monstrelet, vol. ii. p. 8. Holingshed, p. 586. Grafton, p. 500. <sup>2</sup> Monstrelet, vol. ii. p. 14. Grafton, p. 504.

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and represented, that all the past misfortunes of the French had proceeded from their rashness in giving battle, when no necessity obliged them; that this army was the last resource of the king, and the only defence of the few provinces which remained to him; and that every reason invited him to embrace cautious measures, which might leave time for his subjects to return to a sense of their duty, and give leisure for discord to arise among his enemies, who, being united by no common band of interest, or motive of alliance, could not long persevere in their animosity against him. All these prudential considerations were overborne by a vain point of honour, not to turn their backs on the enemy; and they resolved to await the arrival of the duke of Bedford.

The numbers were nearly equal in this action; and as the long continuance of war had introduced discipline, which, however imperfect, sufficed to maintain some appearance of order in such small armies, the battle was fierce, and well disputed, and attended with bloodshed on both sides. The constable drew up his forces under the walls of Verneuil, and resolved to abide the attack of the enemy: but the impatience of the viscount of Narbonne, who advanced precipitately, and obliged the whole line to follow him, in some hurry and confusion, was the cause of the misfortune which ensued. The English archers, fixing their palisades before them, according to their usual custom, sent a volley of arrows amidst the thickest of the French army; and, though beaten from their ground, and obliged to take shelter among the baggage, they soon rallied, and continued to do great execution upon the enemy. The duke of Bedford, meanwhile, at the head of the men at arms, made impression on the French, broke their ranks, chased them off the field, and rendered the victory entirely complete and decisive.<sup>1</sup> The constable himself perished in battle, as well as the earl of Douglas and his son, the counts of Aumale, Tonnerre, and Ventadour, with many other considerable nobility. The duke of Alençon, the mareschal de la Fayette, the lords of Gaucour and Mortemar, were taken prisoners. There fell about four thousand of the French, and sixteen hundred of the English; a loss esteemed, at that time, so unusual on the side of the victors, that the duke of Bedford forbade all rejoicings for his success. Verneuil was surrendered, next day, by capitulation.<sup>2</sup>

The condition of the king of France now appeared very terrible, and almost desperate. He had lost the flower of his army, and the bravest of his nobles, in this fatal action: he had no resource either for recruiting or subsisting his troops: he wanted money even for his personal subsistence; and though all parade of a court was banished, it was with difficulty he could keep a table, supplied with the plainest necessaries, for himself and his few followers: every day brought him intelligence of some loss,

<sup>1</sup> Hall, fol. 88, 89, 90. Monstrelet, vol. ii. p. 15. Stowe, p. 365. Holingshed, p. 588. <sup>2</sup> Monstrelet, vol. ii. p. 15.

or misfortune: towns, which were bravely defended, were obliged, at last, to surrender, for want of relief or supply: he saw his partisans entirely chased from all the provinces which lay north of the Loire: and he expected soon to lose, by the united efforts of his enemies, all the territories of which he had hitherto continued master; when an incident happened, which saved him, on the brink of ruin, and lost the English such an opportunity for completing their conquests, as they never afterwards were able to recal.

Jaqueline, countess of Hainault and Holland, and heir of these provinces, had espoused John, duke of Brabant, cousin-german to the duke of Burgundy: but having made this choice from the usual motives of princes, she soon found reason to repent of the unequal alliance. She was a princess of a masculine spirit and uncommon understanding; the duke of Brabant was of a sickly complexion and weak mind: she was in the vigour of her age; he had only reached his fifteenth year: these causes had inspired her with such contempt for her husband, which soon proceeded to antipathy, that she determined to dissolve a marriage, where, it is probable, nothing but the ceremony had as yet intervened. The court of Rome was, commonly, very open to applications of this nature, when seconded by power and money; but as the princess foresaw great opposition from her husband's relations, and was impatient to effect her purpose, she made her escape into England, and threw herself under the protection of the duke of Gloucester. That prince, with many noble qualities, had the defect of being governed by an impetuous temper, and vehement passions; and he was rashly induced, as well by the charms of the countess herself, as by the prospect of possessing her rich inheritance, to offer himself to her as a husband. Without waiting for a papal dispensation; without endeavouring to reconcile the duke of Burgundy to the measure, he entered into a contract of marriage with Jaqueline, and immediately attempted to put himself in possession of her dominions. Philip was disgusted with so precipitate a conduct: he resented the injury done to the duke of Brabant, his near relation: he dreaded to have the English established on all sides of him: and he foresaw the consequences which must attend the extensive and uncontrolled dominion of that nation, if, before the full settlement of their power, they insulted and injured an ally, to whom they had already been so much indebted, and who was still so necessary for supporting them in their farther progress. He encouraged, therefore, the duke of Brabant, to make resistance: he engaged many of Jaqueline's subjects to adhere to that prince: he himself marched troops to his support: and, as the duke of Gloucester still persevered in his purpose, a sharp war was suddenly kindled in the Low Countries. The quarrel soon became personal as well as political. The English prince wrote to the duke of Burgundy, complaining of the opposition made to his pretensions; and though, in the main, he employed

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amicable terms in his letter, he took notice of some falsehoods into which he said Philip had been betrayed during the course of these transactions. This unguarded expression was highly resented: the duke of Burgundy insisted that he should retract it: and mutual challenges and defiances passed between them on this occasion.<sup>1</sup>

The duke of Bedford could easily foresee the bad effects of so ill-timed and imprudent a quarrel. All the succours which he expected from England, and which were so necessary in this critical emergence, were intercepted by his brother, and employed in Holland and Hainault: the forces of the duke of Burgundy, which he also depended on, were diverted by the same wars; and besides this double loss, he was in imminent danger of alienating, for ever, that confederate, whose friendship was of the utmost importance, and whom the late king had enjoined him, with his dying breath, to gratify by every mark of regard and attachment. He represented all these topics to the duke of Gloucester: he endeavoured to mitigate the resentment of the duke of Burgundy: he interposed with his good offices between these princes: but was not successful in any of his endeavours; and he found that the impetuosity of his brother's temper was still the chief obstacle to all accommodation.<sup>2</sup> For this reason, instead of pushing the victory gained at Verneuil, he found himself obliged to take a journey into England, and to try, by his councils and authority, to moderate the measures of the duke of Gloucester.

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There had likewise broken out some differences among the English ministry, which had proceeded to great extremities, and which required the regent's presence to compose them.<sup>3</sup> The bishop of Winchester, to whom the care of the king's person and education had been entrusted, was a prelate of great capacity and experience, but of an intriguing and dangerous character; and as he aspired to the government of affairs, he had continual disputes with his nephew, the protector; and he gained frequent advantages over the vehement and impolitic temper of that prince. The duke of Bedford employed the authority of parliament to reconcile them; and these rivals were obliged to promise, before that assembly, that they would bury all quarrels in oblivion.<sup>4</sup> Time also seemed to open expedients for composing the difference with the duke of Burgundy. The credit of that prince had procured a bull from the pope; by which not only Jaqueline's contract with the duke of Gloucester was annulled, but it was also declared, that even in case of the duke of Brabant's death, it should never be lawful for her to espouse the English prince. Humphrey, despairing of success, married another lady, of inferior rank, who had lived some time with

<sup>1</sup> Monstrelet, vol. ii. p. 19, 20, 21. <sup>2</sup> Monstrelet, p. 18. <sup>3</sup> Stowe, p. 368. Holingshed, p. 590. <sup>4</sup> Hall, fol. 98, 981. Holingshed, p. 593, 594. Polydore Virgil, p. 466. Grafton, p. 512, 519.



him as his mistress.<sup>1</sup> The duke of Brabant died; and his widow, before she could recover possession of her dominions, was obliged to declare the duke of Burgundy her heir, in case she should die without issue, and to promise never to marry without his consent. But though the affair was thus terminated to the satisfaction of Philip, it left a disagreeable impression on his mind: it excited an extreme jealousy of the English, and opened his eyes to his true interests: and as nothing but his animosity against Charles had engaged him in alliance with them, it counterbalanced that passion by another of the same kind, which in the end became prevalent, and brought him back, by degrees, to his natural connexions with his family and his native country.

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About the same time, the duke of Brittany began to withdraw himself from the English alliance. His brother, the count of Richemont, though connected by marriage with the dukes of Burgundy and Bedford, was extremely attached, by inclination, to the French interest: and he willingly hearkened to all the advances which Charles made him, for obtaining his friendship. The staff of constable, vacant by the earl of Buchan's death, was offered him; and, as his martial and ambitious temper aspired to the command of armies, which he had in vain attempted to obtain from the duke of Bedford, he not only accepted that office, but brought over his brother to an alliance with the French monarch. The new constable having made this one change in his measures, firmly adhered ever after, to his engagements with France. Though his pride and violence, which would admit of no rival in his master's confidence, and even prompted him to assassinate his other favourites, had so much disgusted Charles, that he once banished him the court, and refused to admit him to his presence, he still acted with vigour for the service of that monarch, and obtained, at last, by his perseverance, the pardon of all past offences.

In this situation, the duke of Bedford, on his return, found the affairs of France, after passing eight months in England. The duke of Burgundy was much disgusted. The duke of Brittany had entered into engagements with Charles, and had done homage to that prince for his dutchy. The French had been allowed to recover from the astonishment into which their frequent disasters had thrown them. An incident, too, had happened, which served extremely to raise their courage. The earl of Warwick had besieged Montargis, with a small army of three thousand men, and the place was reduced to extremity, when the bastard of Orleans undertook to throw relief into it. This general, who was natural son to the prince, assassinated by the duke of Burgundy, and who was afterwards created count of Dunois, conducted a body of sixteen hundred men to Montargis; and made an attack on the enemy's trenches, with so much

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<sup>1</sup> Stowe, p. 367.

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valour, prudence, and good fortune, that he not only penetrated into the place, but gave a severe blow to the English, and obliged Warwick to raise the siege.<sup>1</sup> This was the first signal action that raised the fame of Dunois, and opened him the road to those great honours which he afterwards attained.

But the regent, soon after his arrival, revived the reputation of the English arms, by an important enterprise which he happily achieved. He secretly brought together, in separate detachments, a considerable army to the frontiers of Brittany; and fell so unexpectedly upon that province, that the duke, unable to make resistance, yielded to all the terms required of him: he renounced the French alliance; he engaged to maintain the treaty of Troye; he acknowledged the duke of Bedford for regent of France; and promised to do homage for his dutchy to king Henry.<sup>2</sup> And the English prince, having thus freed himself from a dangerous enemy, who lay behind him, resolved on an undertaking which, if successful, would, he hoped, cast the balance between the two nations, and prepare the way for the final conquest of France.

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Siege of  
Orleans.

The city of Orleans was so situated, between the provinces commanded by Henry, and those possessed by Charles, that it opened an easy entrance to either; and, as the duke of Bedford intended to make a great effort, for penetrating into the south of France, it behoved him to begin with this place, which, in the present circumstances, was become the most important in the kingdom. He committed the conduct of the enterprise to the earl of Salisbury, who had newly brought him a reinforcement of six thousand men, from England, and who had much distinguished himself, by his abilities, during the course of the present war. Salisbury, passing the Loire, made himself master of several small places, which surrounded Orleans on that side;<sup>3</sup> and, as his intentions were thereby known, the French king used every expedient to supply the city with a garrison and provisions, and enable it to maintain a long and obstinate siege. The lord of Gaucour, a brave and experienced captain, was appointed governor: many officers of distinction threw themselves into the place: the troops which they conducted were inured to war, and were determined to make the most obstinate resistance; and even the inhabitants, disciplined by the long continuance of hostilities, were well qualified, in their own defence, to second the efforts of the most veteran forces. The eyes of all Europe were turned towards this scene; where, it was reasonably supposed, the French were to make their last stand for maintaining the independence of their monarchy, and the rights of their sovereign.

The earl of Salisbury, at last, approached the place with an army, which consisted only of ten thousand men; and not being

<sup>1</sup> Monstrelet, vol. ii. p. 32, 33. Holingshed, p. 597. <sup>2</sup> Monstrelet, vol. ii. p. 35, 36. <sup>3</sup> Ibid. p. 38, 39. Polyd. Virg. p. 468.

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able, with so small a force, to invest so great a city, that commanded a bridge over the Loire, he stationed himself on the southern side, towards Sologne, leaving the other, towards the Beausse, still open to the enemy. He there attacked the fortifications which guarded the entrance to the bridge; and, after an obstinate resistance, he carried several of them: but was himself killed by a cannon ball, as he was taking a view of the enemy.<sup>1</sup> The earl of Suffolk succeeded to the command; and, being reinforced with great numbers of English and Burgundians, he passed the river with the main body of his army, and invested Orleans on the other side. As it was now the depth of winter, Suffolk, who found it difficult, in that season, to throw up intrenchments all around, contented himself for the present, with erecting redoubts at different distances, where his men were lodged in safety, and were ready to intercept the supplies which the enemy might attempt to throw into the place. Though he had several pieces of artillery in his camp, (and this is among the first sieges in Europe, where cannon were found to be of importance,) the art of engineering was hitherto so imperfect, that Suffolk trusted more to famine than to force, for subduing the city; and he purposed, in the spring, to render the circumvallation more complete, by drawing intrenchments from one redoubt to another. Numberless feats of valour were performed, both by the besiegers and besieged, during the winter: bold sallies were made, and repulsed with equal boldness: convoys were sometimes introduced, and often intercepted: the supplies were still unequal to the consumption of the place: and the English seemed daily, though slowly, to be advancing towards the completion of their enterprise.

But while Suffolk lay in this situation, the French parties ravaged all the country around; and the besiegers, who were obliged to draw their provisions from a distance, were themselves exposed to the danger of want and famine. Sir John Fastolffe was bringing up a large convoy of every kind of stores, which he escorted with a detachment of two thousand five hundred men; when he was attacked by a body of four thousand French, under the command of the counts of Clermont and Dunois. Fastolffe drew up his troops behind the waggons; but the French generals, afraid of attacking him in that posture, planted a battery of cannon against him, which threw every thing into confusion, and would have ensured them the victory, had not the impatience of some Scottish troops, who broke the line of battle, brought on an engagement, in which Fastolffe was victorious. The count of Dunois was wounded; and about five hundred French were left on the field of battle. This action, which was of great importance in the present conjuncture, was commonly called the battle of *Herrings*; because the convoy brought a

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<sup>1</sup> Hall, fol. 105. Monstrelet, vol. ii. p. 39. Stowe, p. 369. Hollingshed, p. 599. Grafton, p. 531.

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great quantity of that kind of provisions, for the use of the English army, during the Lent season.<sup>1</sup>

Charles seemed now to have but one expedient for saving this city, which had been so long invested. The duke of Orleans, who was still prisoner in England, prevailed on the protector and the council, to consent that all his demesnes should be allowed to preserve a neutrality during the war, and should be sequestered, for the greater security, into the hands of the duke of Burgundy. This prince, who was much less cordial in the English interests than formerly, went to Paris, and made the proposal to the duke of Bedford; but the regent coldly replied, that he was not of a humour to beat the bushes, while others ran away with the game: an answer which so disgusted the duke, that he recalled all the troops of Burgundy that acted in the siege.<sup>2</sup> The place, however, was every day more and more closely invested by the English: great scarcity began already to be felt by the garrison and inhabitants: Charles, in despair of collecting an army which should dare to approach the enemy's entrenchments, not only gave up the city for lost, but began to entertain a very dismal prospect with regard to the general state of his affairs. He saw that the country, in which he had hitherto, with great difficulty, subsisted, would be laid entirely open to the invasion of a powerful and victorious enemy; and he already entertained thoughts of retiring, with the remains of his forces, into Languedoc and Dauphiny, and defending himself as long as possible in those remote provinces. But it was fortunate for this good prince, that, as he lay under the dominion of the fair, the women, whom he consulted, had the spirit to support his sinking resolution in this desperate extremity. Mary, of Anjou, his queen, a princess of great merit and prudence, vehemently opposed this measure, which, she foresaw, would discourage all his partisans, and serve as a general signal for deserting a prince, who seemed himself to despair of success. His mistress, too, the fair Agnes Sorel, who lived in entire amity with the queen, seconded all her remonstrances, and threatened that, if he thus pusilanimously threw away the sceptre of France, she would seek, in the court of England, a fortune more correspondent to her wishes. Love was able to rouse, in the breast of Charles, that courage which ambition had failed to excite: he resolved to dispute every inch of ground with an imperious enemy; and rather to perish with honour, in the midst of his friends, than yield ingloriously to his bad fortune: when relief was unexpectedly brought him by another female, of a very different character, who gave rise to one of the most singular revolutions that is to be met with in history.

<sup>1</sup> Hall, fol. 106. Monstrelet, vol. ii. p. 41, 42. Stowe, p. 369. Holingshed, p. 600. Polyd. Vir. p. 469. Grafton, p. 532. <sup>2</sup> Hall, fol. 106. Monstrelet, vol. ii. p. 42. Stowe, p. 369. Grafton, p. 533.



In the village of Domremi, near Vaucouleurs, on the borders of Lorraine, there lived a country girl, of twenty-seven years of age, called Joan d'Arc, who was servant in a small inn, and who, in that station, had been accustomed to tend the horses of the guests, to ride them without a saddle, to the watering place, and to perform other offices, which, in well frequented inns, commonly fall to the share of the men servants.<sup>1</sup> This girl was of an irreproachable life, and had not hitherto been remarked for any singularity; whether that she had met with no occasion to excite her genius, or that the unskilful eyes of those who conversed with her had not been able to discern her uncommon merit. It is easy to imagine, that the present situation of France was an interesting object, even to persons of the lowest rank, and would become the frequent subject of conversation: a young prince, expelled the throne by the sedition of native subjects, and by the arms of strangers, could not fail to move the compassion of all his people, whose hearts were uncorrupted by faction: and the peculiar character of Charles, so strongly inclined to friendship, and the tender passions, naturally rendered him the hero of that sex whose generous minds know no bounds in their affections. The siege of Orleans, the progress of the English before that place, the great distress of the garrison and inhabitants, the importance of saving this city and its brave defenders, had turned thither the public eye; and Joan, inflamed by the general sentiment, was seized with a wild desire of bringing relief to her sovereign in his present distresses. Her unexperienced mind, working day and night on this favourite object, mistook the impulses of passion for heavenly inspirations; and she fancied that she saw visions, and heard voices, exhorting her to re-establish the throne of France, and to expel the foreign invaders. An uncommon intrepidity of temper made her overlook all the dangers which might attend her in such a path; and thinking herself destined by Heaven to this office, she threw aside all that bashfulness and timidity so natural to her sex, her years, and her low station. She went to Vaucouleurs; procured admission to Baudricourt, the governor; informed him of her inspirations and intentions; and conjured him not to neglect the voice of God, who spoke through her, but to second those heavenly revelations which impelled her to this glorious enterprise. Baudricourt treated her, at first, with some neglect; but on her frequent returns to him, and importunate solicitations, he began to remark something extraordinary in the maid, and was inclined, at all hazards, to make so easy an experiment. It is uncertain whether this gentleman had discernment enough to perceive that great use might be made, with the vulgar, of so uncommon an engine; or, what is more likely, in that credulous age, was himself a convert to this visionary: but he adopted, at last, the schemes of Joan; and he gave her some attendants,

<sup>1</sup> Hall, fol. 107. Monstrelet, vol. ii. p. 42. Grafton, p. 534.

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who conducted her to the French court, which, at that time, resided at Chinon.

It is the business of history to distinguish between the *miraculous* and the *marvellous*; to reject the first in all narrations merely profane and human; to doubt the second; and when obliged, by unquestionable testimony, as in the present case, to admit of something extraordinary, to receive as little of it as is consistent with the known facts and circumstances. It is pretended, that Joan immediately, on her admission, knew the king, though she had never seen his face before, and though he purposely kept himself in the crowd of courtiers, and had laid aside every thing in his dress and apparel which might distinguish him: that she offered him, in the name of the Supreme Creator, to raise the siege of Orleans, and conduct him to Rheims, to be there crowned and anointed; and on his expressing doubts of her mission, revealed to him, before some sworn confidants, a secret, which was unknown to all the world beside himself, and which nothing but a heavenly inspiration could have discovered to her: and that she demanded, as the instrument of her future victories, a particular sword, which was kept in the church of St. Catherine, of Fierbois, and which, though she had never seen it, she described by all its marks, and by the place in which it had long lain neglected.<sup>1</sup> This is certain, that all these miraculous stories were spread abroad, in order to captivate the vulgar. The more the king and his ministers were determined to give in to the illusion, the more scruples they pretended. An assembly of grave doctors and theologians cautiously examined Joan's mission, and pronounced it undoubted and supernatural. She was sent to the parliament, then residing at Poitiers; and was interrogated before that assembly: the presidents, the counsellors, who came persuaded of her imposture, went away convinced of her inspiration. A ray of hope began to break through that despair in which the minds of all men were before enveloped. Heaven had now declared itself in favour of France, and had laid bare its outstretched arm to take vengeance on its invaders. Few could distinguish between the impulse of inclination and the force of conviction; and none would submit to the trouble of so disagreeable a scrutiny.

After these artificial precautions and preparations had been for some time employed, Joan's requests were, at last, complied with: she was armed cap-a-pee, mounted on horseback, and shown, in that martial habiliment, before the whole people. Her dexterity in managing her steed, though acquired in her former occupation, was regarded as a fresh proof of her mission: and she was received with the loudest acclamations by the spectators. Her former occupation was even denied: she was no longer the servant of an inn: she was converted into a shepherdess, an employment much more agreeable to the imagination.

<sup>1</sup> Hall, fol. 107. Holingshed, p. 600.

To render her still more interesting, near ten years were subtracted from her age; and all the sentiments of love and of chivalry were thus united to those of enthusiasm, in order to inflame the fond fancy of the people with prepossessions in her favour.

When the engine was thus dressed up in full splendour, it was determined to essay its force against the enemy. Joan was sent to Blois, where a large convoy was prepared for the supply of Orleans, and an army of ten thousand men, under the command of St. Severe, assembled to escort it. She ordered all the soldiers to confess themselves before they set out on the enterprise: she banished from the camp all women of bad fame: she displayed in her hands a consecrated banner; where the Supreme Being was represented grasping the globe of the earth, and surrounded with flower-de-luces: and she insisted, in right of her prophetic mission, that the convoy should enter Orleans by the direct road from the side of Beausse: but the count of Dunois, unwilling to submit the rules of the military art to her inspirations, ordered it to approach by the other side of the river, where, he knew, the weakest part of the English army was stationed.

Previous to this attempt, the maid had written to the regent, and to the English generals before Orleans, commanding them, in the name of the Omnipotent Creator, by whom she was commissioned, immediately to raise the siege, and to evacuate France; and menacing them with divine vengeance in case of their disobedience. All the English affected to speak with derision of the maid, and of her heavenly commission; and said, that the French king was now indeed reduced to a sorry pass, when he had recourse to such ridiculous expedients; but they felt their imagination secretly struck with the vehement persuasion which prevailed in all around them; and they waited, with anxious expectation, not unmixed with horror, for the issue of these extraordinary preparations.

As the convoy approached the river, a sally was made, by the 20th April garrison, on the side of Beausse, to prevent the English general from sending any detachment to the other side: the provisions were peaceably embarked in boats, which the inhabitants of Orleans had sent to receive them: the maid covered, with her troops, the embarkation: Suffolk did not venture to attack her; and the French general carried back the army, in safety, to Blois; an alteration of affairs which was already visible to all the world, and which had a proportional effect on the minds of both parties.

The maid entered the city of Orleans, arrayed in her military garb, and displaying her consecrated standard; and was received as a celestial deliverer, by all the inhabitants. They now believed themselves invincible, under her influence; and even Dunois himself, perceiving such a mighty alteration, both in friends and foes, consented that the next convoy, which was expected in a few days, should enter by the side of Beausse. The

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convoy approached: no sign of resistance appeared in the besiegers: the waggons and troops passed, without interruption, between the redoubts of the English: a dead silence and astonishment reigned among those troops, formerly so elated with victory, and so fierce for the combat.

The earl of Suffolk was in a situation very unusual and extraordinary, and which might well confound the man of the greatest capacity and firmest temper. He saw his troops overawed, and strongly impressed with the idea of a divine influence accompanying the maid. Instead of banishing these vain terrors by hurry, and action, and war, he waited till the soldiers should recover from the panic; and he thereby gave leisure for those prepossessions to sink still deeper into their minds. The military maxims which are prudent in common cases, deceived him, in these unaccountable events. The English felt their courage daunted and overwhelmed: and thence inferred a divine vengeance hanging over them. The French drew the same inference, from an inactivity so new and unexpected. Every circumstance was now reversed, in the opinions of men, on which all depends; the spirit, resulting from a long course of uninterrupted success, was, on a sudden, transferred from the victors to the vanquished.

The maid called aloud, that the garrison should remain no longer on the defensive; and she promised her followers the assistance of heaven, in attacking those redoubts of the enemy, which had so long kept them in awe, and which they had never hitherto dared to insult. The generals seconded her ardour: an attack was made on one redoubt, and it proved successful:<sup>1</sup> all the English, who defended the intrenchments, were put to the sword, or taken prisoners: and Sir John Talbot himself, who had drawn together, from the other redoubts, some troops to bring them relief, durst not appear in the open field, against so formidable an enemy.

Nothing, after this success, seemed impossible to the maid, and her enthusiastic votaries. She urged the generals to attack the main body of the English, in their intrenchments: but Du-nois, still unwilling to hazard the fate of France, by too great temerity, and sensible that the least reverse of fortune would make all the present visions evaporate, and restore every thing to its former condition, checked her vehemence, and proposed to her, first to expel the enemy from their forts, on the other side of the river, and thus lay the communication with the country entirely open, before she attempted any more hazardous enterprise. Joan was persuaded, and these forts were vigorously assailed. In one attack the French were repulsed; the maid was left almost alone; she was obliged to retreat, and join the runaways; but, displaying her sacred standard, and animating them with her countenance, her gestures, her exhorta-

<sup>1</sup> Monstrelet, vol. ii. p. 45.



tions, she led them back to the charge, and overpowered the English in their intrenchments. In the attack of another fort, she was wounded in the neck with an arrow; she retreated a moment behind the assailants; she pulled out the arrow with her own hands: she had the wound quickly dressed; and she hastened back to head the troops, and to plant her victorious banner on the ramparts of the enemy.

By all these successes, the English were entirely chased from their fortifications on that side: they had lost above six thousand men in these different actions; and, what was still more important, their wonted courage and confidence was wholly gone, and had given place to amazement and despair. The maid returned triumphant over the bridge, and was again received as the guardian angel of the city. After performing such miracles, she convinced the most obdurate incredulity of her divine mission: men felt themselves animated, as by a superior energy, and thought nothing impossible to that divine hand, which so visibly conducted them. It was in vain, even for the English generals, to oppose, with their soldiers, the prevailing opinion of supernatural influence: they themselves were, probably, moved by the same belief: the utmost they dared to advance was, that Joan was not an instrument of God, she was only the implement of the devil: but as the English had felt, to their sad experience, that the devil might be allowed sometimes to prevail, they derived not much consolation from the enforcing of this opinion.

It might prove extremely dangerous for Suffolk, with such intimidated troops, to remain any longer in the presence of so courageous and victorious an enemy: he therefore raised the siege, and retreated, with all the precaution imaginable. The French resolved to push their conquests, and to allow the English no leisure to recover from their consternation. Charles formed a body of six thousand men, and sent them to attack Jergeau, whither Suffolk had retired, with a detachment of his army. The siege lasted ten days; and the place was obstinately defended. Joan displayed her wonted intrepidity on the occasion. She descended into the fosse, in leading the attack, and she there received a blow on the head, with a stone, by which she was confounded, and beaten to the ground: but she soon recovered herself; and in the end, rendered the assault successful: Suffolk was obliged to yield himself prisoner, to a Frenchman, called Renaud; but, before he submitted, he asked his adversary whether he were a gentleman? On receiving a satisfactory answer, he demanded whether he were a knight? Renaud replied, that he had not yet attained that honour. *Then I make you one*, replied Suffolk: upon which he gave him the blow with his sword, which dubbed him into that fraternity; and he immediately surrendered himself his prisoner.

The siege of Orleans raised, 8th May.

The remainder of the English army was commanded by Fastolfe, Scales, and Talbot, who thought of nothing but of making

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their retreat, as soon as possible, into a place of safety; while the French esteemed the overtaking them equivalent to a victory. So much had the events, which passed before Orleans, altered every thing between the two nations! The vanguard of the French, under Richemont and Xiantrailles, attacked the rear of the enemy, at the village of Patay. The battle lasted not a moment: the English were discomfited, and fled: the brave Fastolffe himself, showed the example of flight to his troops; and the order of the garter was taken from him, as a punishment for this instance of cowardice.<sup>1</sup> Two thousand men were killed in this action, and both Talbot and Scales taken prisoners.

In the account of all these successes, the French writers, to magnify the wonder, represent the maid, who was now known by the appellation of *the Maid of Orleans*, as not only active in combat, but as performing the office of general; directing the troops, conducting the military operations, and swaying the deliberations in all councils of war. It is certain, that the policy of the French court endeavoured to maintain this appearance with the public: but it is much more probable, that Dunois, and the wiser commanders, prompted her in all her measures, than that a country girl, without experience or education, could, on a sudden, become expert in a profession which requires more genius and capacity than any other active scene of life. It is sufficient praise that she could distinguish the persons on whose judgment she might rely; that she could seize their hints and suggestions, and, on a sudden, deliver their opinions as her own; and that she should curb, on occasion, that visionary and enthusiastic spirit with which she was actuated, and could temper it with prudence and discretion.

The raising of the siege of Orleans was one part of the maid's promise to Charles: the crowning of him at Rheims was the other: and she now vehemently insisted that he should forthwith set out on that enterprize. A few weeks before, such a proposal would have appeared the most extravagant in the world. Rheims lay in a distant quarter of the kingdom; was then in the hands of a victorious enemy; the whole road which led to it was occupied by their garrisons; and no man could be so sanguine as to imagine that such an attempt could so soon come within the bounds of possibility. But as it was extremely the interest of Charles to maintain the belief of something extraordinary and divine in these events, and to avail himself of the present consternation of the English, he resolved to follow the exhortations of his warlike prophetess, and to lead his army upon this promising adventure. Hitherto he had kept remote from the scene of war: as the safety of the state depended upon his person, he had been persuaded to restrain his military ardour: but observing this prosperous turn of affairs, he now determined to

<sup>1</sup> Monstrelet, vol. ii. p. 46.

appear at the head of his armies, and to set the example of valour to all his soldiers. And the French nobility saw at once their young sovereign assuming a new and more brilliant character, seconded by fortune, and conducted by the hand of Heaven; and they caught fresh zeal to exert themselves in replacing him on the throne of his ancestors.

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Charles set out for Rheims, at the head of twelve thousand men: he passed by Troye, which opened its gates to him: Chalons imitated the example: Rheims sent him a deputation with its keys, before his approach to it: and he scarcely perceived, as he passed along, that he was marching through an enemy's country. The ceremony of his coronation was here performed,<sup>1</sup> with the holy oil, which a pigeon had brought to king Clovis, from heaven, on the first establishment of the French monarchy: the Maid of Orleans stood by his side, in complete armour, and displayed her sacred banner, which had so often dissipated and confounded his fiercest enemies: and the people shouted with the most unfeigned joy, on viewing such a complication of wonders. After the completion of the ceremony, the maid threw herself at the king's feet, embraced his knees, and with a flood of tears, which pleasure and tenderness extorted from her, she congratulated him on this singular and marvellous event.

The king  
of France  
crowned  
at Rheims.

17th July.

Charles, thus crowned and anointed, became more respectable in the eyes of all his subjects, and seemed, in a manner, to receive anew, from a heavenly commission, his title to their allegiance. The inclinations of men swaying their belief, no one doubted of the inspirations and prophetic spirit of the maid: so many incidents, which passed all human comprehension, left little room to question a superior influence: and the real and undoubted facts brought credit to every exaggeration which could scarcely be rendered more wonderful. Laon, Soissons, Chateau-Thierry, Provins, and many other towns and fortresses, in that neighbourhood, immediately after Charles's coronation, submitted to him on the first summons; and the whole nation was disposed to give him the most zealous testimonies of their duty and affection.

Nothing can impress us with a higher idea of the wisdom, resolution and address of the duke of Bedford, than his being able to maintain himself in so perilous a situation, and to preserve some footing in France, after the defection of so many places, and amidst the universal inclination of the rest to imitate that contagious example. This prince seemed present every where, by his vigilance and foresight: he employed every resource which fortune had yet left him: he put all the English garrisons in a posture of defence: he kept a watchful eye over every attempt among the French towards an insurrection: he retained the Parisians in obedience, by alternately employing caresses and severity: and knowing that the duke of Burgundy

Prudence  
of the  
duke of  
Bedford.

<sup>1</sup> Monstrelet, vol. ii. p. 48.

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was already wavering in his fidelity, he acted with so much skill and prudence, as to renew, in this dangerous crisis, his alliance with that prince; an alliance of the utmost importance to the credit and support of the English government.

The small supplies which he received from England, set the talents of this great man in a still stronger light. The ardour of the English for foreign conquests was now extremely abated, by time and reflection: the parliament seems even to have become sensible of the danger which might attend their farther progress: no supply of money could be obtained by the regent, during his greatest distresses: and men enlisted slowly under his standard, or soon deserted, by reason of the wonderful accounts which had reached England, of the magic, and sorcery, and diabolical power of the Maid of Orleans.<sup>1</sup> It happened, fortunately, in this emergency, that the bishop of Winchester, now created a cardinal, landed at Calais, with a body of five thousand men, which he was conducting into Bohemia, on a crusade against the Hussites. He was persuaded to lend these troops to his nephew, during the present difficulties;<sup>2</sup> and the regent was thereby enabled to take the field, and to oppose the French king, who was advancing with his army to the gates of Paris.

The extraordinary capacity of the duke of Bedford, appeared, also, in his military operations. He attempted to restore the courage of his troops, by boldly advancing to the face of the enemy; but he chose his posts with so much caution, as always to decline a combat, and to render it impossible for Charles to attack him. He still attended that prince in all his movements; covered his own towns and garrisons; and kept himself in a posture to reap advantage from every imprudence or false step of the enemy. The French army, which consisted mostly of volunteers, who served at their own expense, soon after retired and was disbanded: Charles went to Bourges, the ordinary place of his residence, but not till he made himself master of Compiègne, Beauvais, Senlis, Sens, Laval, Lagni, St. Denis, and of many places in the neighbourhood of Paris, which the affections of the people had put into his hands.

1430.

The regent endeavoured to revive the declining state of his affairs, by bringing over the young king of England, and having him crowned and anointed at Paris.<sup>3</sup> All the vassals of the crown, who lived within the provinces possessed by England, swore a new allegiance, and did homage to him. But this ceremony was cold and insipid, compared with the lustre which had attended the coronation of Charles, at Rheims; and the duke of Bedford expected more effect from an accident, which put into his hands the person that had been the author of all his calamities.

The Maid of Orleans, after the coronation of Charles, declar-

<sup>1</sup> Rymer, vol. x. p. 459, 472.    <sup>2</sup> Ibid. vol. x. p. 421.    <sup>3</sup> Ibid. vol. x. p. 432.



ed to the count of Dunois, that their wishes were now fully gratified, and that she had no farther desire than to return to her former condition, and to the occupation and course of life, which became her sex: but that nobleman, sensible of the great advantages which might still be reaped from her presence in the army, exhorted her to persevere, till, by the final expulsion of the English, she had brought all her prophecies to their full completion. In pursuance of this advice, she threw herself into the town of Compiègne, which was, at that time, besieged by the duke of Burgundy, assisted by the earls of Arundel and Suffolk; and the garrison, on her appearance, believed themselves thenceforth invincible. But their joy was of short duration. The 24th May, maid, next day after her arrival, headed a sally upon the quarters of John, of Luxembourg; she twice drove the enemy from their intrenchments; finding their numbers to increase every moment, she ordered a retreat; when hard pressed by the pursuers, she turned upon them, and made them again recoil; but being here deserted by her friends, and surrounded by the enemy, she was, at last, after exerting the utmost valour, taken prisoner by the Burgundians.<sup>1</sup> The common opinion was, that the French officers, finding the merit of every victory ascribed to her, had in envy to her renown, by which they, themselves, were so much eclipsed, willingly exposed her to this fatal accident.

The envy of her friends, on this occasion, was not a greater proof of her merit than the triumphs of her enemies. A complete victory would not have given more joy to the English and their partisans. The service of *Te Deum*, which has so often been profaned by princes, was publicly celebrated, on this fortunate event, at Paris. The duke of Bedford fancied, that, by the captivity of that extraordinary woman, who had blasted all his successes, he should again recover his former ascendant over France; and, to push farther the present advantage, he purchased the captive, from John of Luxembourg, and formed a prosecution against her, which, whether it proceeded from vengeance or policy, was equally barbarous and dishonourable.

There was no possible reason, why Joan should not be regarded as a prisoner of war, and be entitled to all the courtesy and good usage, which civilized nations practise towards enemies on these occasions. She had never, in her military capacity, forfeited, by an act of treachery or cruelty, her claim to that treatment: she was unstained by any civil crime: even the virtues and the very decorums of her sex, had ever been rigidly observed by her: and though her appearing in war, and leading armies to battle, may seem an exception, she had thereby performed such signal service to her prince, that she had abundantly compensated for this irregularity; and was, on that very account, the more an object of praise and admiration. It was necessary,

<sup>1</sup> Stowe, p. 371.

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therefore, for duke of Bedford to interest religion some way in the prosecution; and to cover, under that cloak, his violation of justice and humanity.

The bishop of Beauvais, a man wholly devoted to the English interests, presented a petition against Joan, on pretence that she was taken within the bounds of his diocess; and he desired to have her tried by an ecclesiastical court, for sorcery, impiety, idolatry, and magic: the university of Paris was so mean as to join in the same request: several prelates, among whom the cardinal of Winchester was the only Englishman, were appointed her judges: they held their court in Rouen, where the young king of England then resided: and the maid, clothed in her former military apparel, but loaded with irons, was produced before this tribunal.

She first desired to be eased of her chains: her judges answered, that she had once already attempted an escape, by throwing herself from a tower: she confessed the fact, maintained the justice of her intention, and owned that, if she could, she would still execute that purpose. All her other speeches showed the same firmness and intrepidity: though harassed with interrogatories during the course of near four months, she never betrayed any weakness or womanish submission; and no advantage was gained over her. The point, which her judges pushed most vehemently, was her visions and revelations, and intercourse with departed saints; and they asked her, whether she would submit to the church the truth of these inspirations? She replied, that she would submit them to God, the fountain of truth. They then exclaimed that she was a heretic, and denied the authority of the church. She appealed to the pope: they rejected her appeal.

They asked her, why she put trust in her standard, which had been consecrated by magical incantations? She replied, that she put trust in the Supreme Being alone, whose image was impressed upon it. They demanded, why she carried in her hand that standard at the anointment and coronation of Charles, at Rheims? She answered, that the person who had shared the danger was entitled to share the glory. When accused of going to war, contrary to the decorums of her sex, and of assuming government and command over men, she scrupled not to reply, that her sole purpose was to defeat the English, and to expel them the kingdom. In the issue, she was condemned for all the crimes of which she had been accused, aggravated by heresy; her revelations were declared to be inventions of the devil, to delude the people; and she was sentenced to be delivered over to the secular arm.

Joan, so long surrounded by inveterate enemies, who treated her with every mark of contumely; browbeaten and overawed by men of superior rank, and men invested with the ensigns of a sacred character, which she had been accustomed to revere, felt her spirit at last subdued: and those visionary dreams of in-

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spiration, in which she had been buoyed up by the triumphs of success, and the applauses of her own party, gave way to the terrors of that punishment, to which she was sentenced. She publicly declared herself willing to recant; she acknowledged the illusion of those revelations, which the church had rejected; and she promised never more to maintain them. Her sentence was then mitigated: she was condemned to perpetual imprisonment, and to be fed, during life, on bread and water.

Enough was now done to fulfil all political views, and to convince both the French and the English, that the opinion of divine influence, which had so much encouraged the one and daunted the other, was entirely without foundation. But the barbarous vengeance of Joan's enemies, was not satisfied with this victory. Suspecting that the female dress, which she had now consented to wear, was disagreeable to her, they purposely placed in her apartment, a suit of men's apparel, and watched for the effects of that temptation upon her. On the sight of a dress, in which she had acquired so much renown, and which, she once believed, she wore by the particular appointment of heaven, all her former ideas and passions revived; and she ventured, in her solitude, to clothe herself again in the forbidden garment. Her insidious enemies caught her in that situation: her fault was interpreted to be no less than a relapse into heresy: no recantation would now suffice, and no pardon could be granted her. She was condemned to be burned in the market place of Rouen; and the infamous sentence was accordingly executed. This admirable heroine, to whom the more generous superstition of the ancients would have erected altars, was, on pretence of heresy and magic, delivered over alive to the flames, and expiated, by that dreadful punishment, the signal services which she had rendered to her prince, and her native country.

Execution  
of the  
Maid of  
Orleans,  
14th June.

The affairs of the English, far from being advanced by this execution, went every day more and more to decay: the great abilities of the regent were unable to resist the strong inclination which had seized the French, to return under the obedience of their rightful sovereign, and which that act of cruelty was ill fitted to remove. Chartres was surprised by a stratagem of the count of Dunois; a body of the English, under lord Willoughby, was defeated at St. Celerin, upon the Sarte:<sup>1</sup> the fair, in the suburbs of Caen, seated in the midst of the English territories, was pillaged by De Lore, a French officer: the Duke of Bedford himself, was obliged, by Dunois, to raise the siege of Lagni, with some loss of reputation: and all these misfortunes, though light, yet being continued and uninterrupted, brought discredit on the English, and menaced them with an approaching revolution. But the chief detriment, which the regent sustained, was by the death of his dutchess, who had hitherto preserved some appearance of friendship between him and her brother, the duke of Bur-

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<sup>1</sup> Monstrelet, vol. ii. p. 100.

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gundy: and his marriage soon afterwards, with Jaqueline, of Luxembourg, was the beginning of a breach between them.<sup>2</sup> Philip complained, that the regent had never had the civility to inform him of his intentions, and that so sudden a marriage, was a slight on his sister's memory. The cardinal of Winchester mediated a reconciliation between these princes, and brought both of them to St. Omer's for that purpose. The duke of Bedford here expected the first visit, both as he was son, brother and uncle to a king, because he had already made such advances as to come into the duke of Burgundy's territories, in order to have an interview with him : but Philip, proud of his great power and independent dominions, refused to pay this complement to the regent : and the two princes, unable to adjust the ceremonial, parted without seeing each other.<sup>3</sup> A bad prognostic of their cordial intentions to renew past amity !

Defection  
of the  
duke of  
Burgundy.

Nothing could be more repugnant to the interests of the house of Burgundy, than to unite the crowns of France and England, on the same head ; an event which, had it taken place, would have reduced the duke to the rank of a petty prince, and have rendered his situation entirely dependent and precarious. The title, also, to the crown of France, which, after the failure of the elder branches, might accrue to the duke, or his posterity, had been sacrificed by the treaty of Troye ; and strangers and enemies were thereby irrevocably fixed upon the throne. Revenge, alone, had carried Philip into these impolitic measures ; and a point of honour, had hitherto induced him to maintain them. But as it is the nature of passion, gradually to decay, while the sense of interest maintains a permanent influence and authority, the duke had, for some years, appeared sensibly to relent in his animosity against Charles, and to hearken willingly to the apologies made by that prince, for the murder of the late duke of Burgundy. His extreme youth, was pleaded in his favour ; his incapacity to judge for himself ; the ascendant gained over him by his ministers ; and his inability to resent a deed, which, without his knowledge, had been perpetrated by those under whose guidance he was then placed. The more to flatter the pride of Philip, the king of France had banished from his court and presence, Tanegui de Chatel, and all those who were concerned in that assassination ; and had offered to make every other atonement, which could be required of him. The distress, which Charles had already suffered, had tended to gratify the duke's revenge ; the miseries, to which France had been so long exposed, had begun to move his compassion ; and the cries of all Europe admonished him, that his resentment, which might, hitherto, be deemed pious, would, if carried farther, be universally condemned as barbarous and unrelenting. While the duke was in this disposition, every disgust which he received from England,

<sup>1</sup> Monstrelet, vol. ii. p. 87. <sup>2</sup> Stowe, p. 373. Grafton, p. 554. <sup>3</sup> Monstrelet, vol. ii. p. 90. Grafton, p. 561.



made a double impression upon him; the entreaties of the count of Richemont, and the duke of Bourbon, who had married his two sisters, had weight; and he finally determined to unite himself to the royal family of France, from which his own was descended. For this purpose a congress was appointed at Arras, under the mediation of deputies from the pope, and the council of Basle: the duke of Burgundy came thither in person: the duke of Bourbon, the count of Richemont, and other persons of high rank, appeared as ambassadors from France; and the English having, also, been invited to attend, the cardinal of Winchester, the bishops of Norwich and St. David's, the earls of Huntingdon and Suffolk, with others, received from the protector and council a commission for that purpose.<sup>1</sup>

The conferences were held in the abbey of St. Vaast; and began with discussing the proposals of the two crowns, which were so wide of each other as to admit of no hopes of accommodation. France offered to cede Normandy with Guienne, but both of them loaded with the usual homage and vassalage to the crown. As the claims of England upon France were universally unpopular, in Europe, the mediators declared the offers of Charles very reasonable: and the cardinal of Winchester, with the other English ambassadors, without giving a particular detail of their demands, immediately left the congress. There remained nothing but to discuss the mutual pretensions of Charles and Philip. These were easily adjusted: the vassal was in a situation to give law to his superior: and he exacted conditions, which, had it not been for the present necessity, would have been deemed, to the last degree, dishonourable and disadvantageous to the crown of France. Besides making repeated atonements and acknowledgments, for the murder of the duke of Burgundy, Charles was obliged to cede all the towns of Picardy, which lay between the Somme and the Low Countries; he yielded several other territories; he agreed that these, and all the other dominions of Philip, should be held by him, during his life, without doing any homage, or swearing fealty to the present king; and he freed his subjects from all obligations to allegiance, if ever he infringed this treaty.<sup>2</sup> Such were the conditions upon which France purchased the friendship of the duke of Burgundy.

The duke sent a herald to England, with a letter, in which he notified the conclusion of the treaty of Arras, and apologized for his departure from that of Troye. The council received the herald with great coldness: they even assigned him his lodgings in a shoemaker's house, by way of insult: and the populace were so incensed, that, if the duke of Gloucester had not given him guards, his life had been exposed to danger, when he appeared in the streets. The Flemings, and other subjects of Philip, were insulted, and some of them murdered, by the Londoners; and every thing seemed to tend towards a rupture between the two

<sup>1</sup> Rymer, vol. x. p. 611, 612. <sup>2</sup> Monstrelet, vol. ii. p. 112. Grafton, p. 565.

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1435.

14th Sept.  
Death of  
the duke  
of Bed-  
ford.

nations.† These violences were not disagreeable to the duke of Burgundy, as they afforded him a pretence for the farther measures which he intended to take against the English, whom he now regarded as implacable and dangerous enemies.

A few days after the duke of Bedford received intelligence of the treaty, so fatal to the interests of England, he died at Rouen; a prince of great abilities, and of many virtues: and whose memory, except from the barbarous execution of the Maid of Orleans, was unsullied by any considerable blemish. Isabella, queen of France, died a little before him, despised by the English, detested by the French, and reduced, in her later years, to regard, with an unnatural horror, the progress and successes of her own son, in recovering possession of his kingdom. This period was, also signalized by the death of the earl of Arundel,<sup>2</sup> a great English general, who, though he commanded three thousand men, was foiled by Xaintrailles, at the head of six hundred, and soon after expired of the wounds which he received in the action.

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The violent factions, which prevailed between the duke of Gloucester and the cardinal of Winchester, prevented the English from taking the proper measures for repairing these multiplied losses, and threw all their affairs into confusion. The popularity of the duke, and his near relation to the crown, gave him advantages in the contest, which he often lost, by his open and unguarded temper, unfit to struggle with the politic and interested spirit of his rival. The balance, meanwhile, of these parties, kept every thing in suspense: foreign affairs were much neglected: and though the duke of York, son to that earl of Cambridge who was executed, in the beginning of the last reign, was appointed successor to the duke of Bedford, it was seven months before his commission passed the seals; and the English remained so long in an enemy's country, without a proper head or governor.

Decline of  
the Eng-  
lish in  
France.

The new governor, on his arrival, found the capital already lost. The Parisians had always been more attached to the Burgundian than to the English interest: and, after the conclusion of the treaty of Arras, their affections, without any further control, universally led them to return to their allegiance, under their native sovereign. The constable, together with Lile-Adam, the same person who had before put Paris into the hands of the duke of Burgundy, was introduced, in the night time, by intelligence with the citizens: Lord Willoughby, who commanded only a small garrison of one thousand five hundred men, was expelled; this nobleman discovered valour and presence of mind on the occasion; but, unable to guard so large a place, against such multitudes, he retired into the Bastile; and, being there in-

† Monstrelet, vol. ii. p. 120. Holingshed, p. 612.   <sup>2</sup> Monstrelet, vol. ii. p. 105. Holingshed, p. 610.

vested, he delivered up that fortress, and was contented to stipulate for the safe retreat of his troops into Normandy.<sup>1</sup>

In the same season, the duke of Burgundy openly took part against England, and commenced hostilities, by the siege of Calais, the only place which now gave the English any sure hold of France, and still rendered them dangerous. As he was beloved among his own subjects, and had acquired the epithet of *Good*, from his popular qualities, he was able to interest all the inhabitants of the Low Countries in the success of his enterprise; and he invested that place with an army, formidable from its numbers, but without experience, discipline, or military spirit.<sup>2</sup> On the first alarm of this siege, the duke of Gloucester assembled some forces, sent a defiance to Philip, and challenged him to wait the event of a battle, which he promised to give, as soon as the wind would permit him to reach Calais. The warlike genius of the English had, at that time, rendered them terrible to all the northern parts of Europe; especially to the Flemings, who were more expert in manufactures than in arms; and the duke of Burgundy, being already foiled in some attempts before Calais, and observing the discontent and terror of his own army, thought proper to raise the siege, and to retreat, before the arrival of the enemy.<sup>3</sup>

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The English were still masters of many fine provinces in 26th June. France; but retained possession, more by the extreme weakness of Charles, than by the strength of their own garrisons, or the force of their armies. Nothing, indeed, can be more surprising, than the feeble efforts made, during the course of several years, by these two potent nations against each other; while the one struggled for independence, and the other aspired to a total conquest of its rival. The general want of industry, commerce, and police, in that age, had rendered all the European nations, and France and England no less than the others, unfit for bearing the burdens of war, when it was prolonged beyond one season; and the continuance of hostilities had, long ere this time, exhausted the force and patience of both kingdoms. Scarcely could the appearance of an army be brought into the field, on either side; and all the operations consisted in the surprisal of places, in the rencounter of detached parties, and in incursions upon the open country; which were performed by small bodies, assembled on a sudden, from the neighbouring garrisons. In this method of conducting the war, the French king had much the advantage: the affections of the people were entirely on his side: intelligence was early brought him of the state and motions of the enemy: the inhabitants were ready to join in any attempts against the garrisons: and thus ground was continually, though slowly, gained upon the English. The duke of York, who was a prince of abili-

<sup>1</sup> Monstrelet, vol. ii. p. 127. Grafton, p. 568. <sup>2</sup> Monstrelet, vol. ii. p. 126, 130, 132. Holingshed, p. 613. Grafton, p. 571. <sup>3</sup> Monstrelet, vol. ii. p. 136. Holingshed, p. 614.

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ties, struggled against these difficulties, during the course of five years; and being assisted by the valour of lord Talbot, soon after created earl of Shrewsbury, he performed actions which acquired him honour, but merit not the attention of posterity. It would have been well, had this feeble war, in sparing the blood of the people, prevented, likewise, all other oppressions; and, had the fury of men, which reason and justice cannot restrain, thus happily received a check from their impotence and inability. But the French and English, though they exerted such small force, were, however, stretching beyond their resources, which were still smaller; and the troops, destitute of pay, were obliged to subsist, by plundering and oppressing the country, both of friends and enemies. The fields, in all the north of France, which was the seat of war, were laid waste and left uncultivated.<sup>1</sup> The cities were gradually depopulated, not by the blood spilt in battle, but by the more destructive pillage of the garrisons:<sup>2</sup> and both parties, weary of hostilities, which decided nothing, seemed, at last, desirous of peace; and they set on foot negotiations for that purpose. But the proposals of France, and the demands of England, were still so wide of each other, that all hope of accommodation immediately vanished. The English ambassadors demanded restitution of all the provinces which had once been annexed to England, together with the final cession of Calais and its district; and required the possession of these extensive territories, without the burden of any fealty or homage, on the part of their prince: the French offered only part of Guienne, part of Normandy, and Calais, loaded with the usual burdens. It appeared in vain to continue the negotiation, while there was so little prospect of agreement. The English were still too haughty to stoop from the vast hopes which they had formerly entertained, and to accept of terms more suitable to the present condition of the two kingdoms.

1440.

The duke of York, soon after, resigned his government to the earl of Warwick, a nobleman of reputation, whom death prevented from long enjoying this dignity. The duke, upon the demise of that nobleman, returned to his charge, and, during his administration, a truce was concluded between the king of England and the duke of Burgundy, which had become necessary for the commercial interests of their subjects.<sup>3</sup> The war with France continued, in the same languid and feeble state as before.

The captivity of five princes of the blood, taken prisoners in the battle of Azincour, was a considerable advantage, which England long enjoyed over its enemy; but this superiority was now

<sup>1</sup> Grafton, p. 562. <sup>2</sup> Fortescue, who, soon after this period, visited France, in the train of prince Henry, speaks of that kingdom as a desert, in comparison of England. See his treatise *De Laudibus Anglie*. Though we make allowance for the partialities of Fortescue, there must have been some foundation for his account; and these destructive wars are the most likely reason to be assigned for the difference remarked by this author. <sup>3</sup> Grafton, p. 573.



entirely lost. Some of these princes had died; some had been ransomed; and the duke of Orleans, the most powerful among them, was the last that remained in the hands of the English. He offered the sum of fifty-four thousand nobles<sup>1</sup> for his liberty; and when this proposal was laid before the council of England, as every question was there an object of faction, the party of the duke of Gloucester, and that of the cardinal of Winchester, were divided in their sentiments with regard to it. The duke reminded the council of the dying advice of the late king, that none of these prisoners should, on any account, be released, till his son should be of sufficient age to hold, himself, the reins of government. The cardinal insisted on the greatness of the sum offered, which, in reality, was nearly equal to two-thirds of all the extraordinary supplies that the parliament, during the course of seven years, granted for the support of the war. And he added, that the release of this prince was more likely to be advantageous than prejudicial to the English interests; by filling the court of France with faction, and giving a head to those numerous malcontents, whom Charles was at present able, with great difficulty, to restrain. The cardinal's party, as usual, prevailed: the duke of Orleans was released, after a melancholy captivity of twenty-five years;<sup>2</sup> and the duke of Burgundy, as a pledge of his entire reconciliation with the family of Orleans, facilitated to that prince the payment of his ransom. It must be confessed, that the princes and nobility, in those ages, went to war on very disadvantageous terms. If they were taken prisoners, they either remained in captivity during life, or purchased their liberty at the price which the victors were pleased to impose, and which often reduced their families to want and beggary.

The sentiments of the cardinal, some time after, prevailed in another point of still greater moment: that prelate had always encouraged every proposal of accommodation with France; and had represented the utter impossibility, in the present circumstances, of pushing farther the conquests in that kingdom, and the great difficulty of even maintaining those that were already made. He insisted on the extreme reluctance of the parliament to grant supplies; the disorders in which the English affairs in Normandy were involved; the daily progress made by the French king; and the advantage of stopping his hand by a temporary accommodation, which might leave room for time and accidents to operate in favour of the English. The duke of Gloucester, high-spirited and haughty, and educated in the lofty pretensions which the first successes of his two brothers had rendered familiar to

1445.

<sup>1</sup> Rymer, vol. x. p. 764, 776, 782, 795, 796. This sum was equal to thirty-six thousand pounds sterling, of our present money. A subsidy of a tenth and fifteenth was fixed by Edward III. at twenty-nine thousand pounds, which, in the reign of Henry VI. made only fifty-eight thousand pounds of our present money. The parliament granted only one subsidy, during the course of seven years, from 1437 to 1444. <sup>2</sup> Grafton, p. 578.

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1443.

28th May.

Truce  
with  
France.

him, could not yet be induced to relinquish all hopes of prevailing over France; much less could he see, with patience, his own opinion thwarted and rejected, by the influence of his rival in the English council. But, notwithstanding his opposition, the earl of Suffolk, a nobleman who adhered to the cardinal's party, was despatched to Tours, in order to negotiate with the French ministers. It was found impossible to adjust the terms of a lasting peace; but a truce for twenty-two months was concluded, which left every thing on the present footing between the parties. The numerous disorders under which the French government laboured, and which time alone could remedy, induced Charles to assent to this truce; and the same motives engaged him, afterwards, to prolong it.<sup>1</sup> But Suffolk, not content with executing this object of his commission, proceeded also to finish another business, which seems rather to have been implied than expressed in the powers that had been granted him.<sup>2</sup>

In proportion as Henry advanced in years, his character became fully known in the court, and was no longer ambiguous to either faction. Of the most harmless, inoffensive, simple manners, but of the most slender capacity, he was fitted, both by the softness of his temper, and the weakness of his understanding, to be perpetually governed by those who surrounded him; and it was easy to foresee that his reign would prove a perpetual minority. As he had now reached the twenty-third year of his age, it was natural to think of choosing him a queen; and each party was ambitious of having him receive one from their hand, as it was probable that this circumstance would decide, for ever, the victory between them. The duke of Gloucester proposed a daughter of the count of Armagnac; but had not credit to effect his purpose. The cardinal and his friends had cast their eye on Margaret of Anjou, daughter of Regnier, titular king of Sicily, Naples, and Jerusalem, descended from the count of Anjou, brother of Charles V. who had left these magnificent titles, but without any real power or possessions, to his posterity. This princess herself was the most accomplished of her age, both in body and mind, and seemed to possess those qualities which would equally qualify her to acquire the ascendant over Henry, and to supply all his defects and weaknesses. Of a masculine, courageous spirit, of an enterprising temper, endowed with solidity as well as vivacity of understanding, she had not been able to conceal these great talents, even in the privacy of her father's family; and it was reasonable to expect, that when she should mount the throne, they would break out with still superior lustre. The earl of Suffolk, therefore, in concert with his associates of the English council, made proposals of marriage to Margaret, which were accepted. But this nobleman, besides preoccupied the princess' favour, by being the chief means of her advancement, endeavoured to ingratiate himself with her and

<sup>1</sup> Rymer, vol. xi. p. 101, 108, 206, 214. <sup>2</sup> Ibid. p. 58.

her family, by very extraordinary concessions: though Margaret brought no dowry with her, he ventured, of himself, without any direct authority from the council, but probably with the approbation of the cardinal and the ruling members, to engage by a secret article, that the province of Maine, which was, at that time, in the hands of the English, should be ceded to Charles, of Anjou, her uncle,<sup>1</sup> who was prime minister and favourite of the French king, and who had already received from his master the grant of that province, as his appanage.

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Marriage  
of the king  
with Mar-  
garet, of  
Anjou.

The treaty of marriage was ratified in England: Suffolk obtained, first the title of marquis, then that of duke; and even received the thanks of parliament, for his services in concluding it.<sup>2</sup> The princess fell immediately into close connexions with the cardinal and his party, the dukes of Somerset, Suffolk, and Buckingham;<sup>3</sup> who, fortified by her powerful patronage, resolved on the final ruin of the duke of Gloucester.

1447.

This generous prince, worsted in all court intrigues, for which his temper was not suited; but possessing, in a high degree, the favour of the public, had already received, from his rivals, a cruel mortification, which he had hitherto borne, without violating public peace, but which it was impossible that a person, of his spirit and humanity, could ever forgive. His dutchess, the daughter of Reginald, lord Cobham, had been accused of the crime of witchcraft, and it was pretended that there was found, in her possession, a waxen figure of the king, which she and her associates, Sir Roger Bolingbroke, a priest, and one Margery Jordan, of Eye, melted in a magical manner, before a slow fire, with an intention of making Henry's force and vigour waste away, by like insensible degrees. The accusation was well calculated to affect the weak and credulous mind of the king, and to gain belief in an ignorant age; and the dutchess was brought to trial, with her confederates. The nature of this crime, so opposite to all common sense, seems always to exempt the accusers from observing the rules of common sense in their evidence: the prisoners were pronounced guilty; the dutchess was condemned to do public penance, and to suffer perpetual imprisonment; the others were executed.<sup>4</sup> But, as these violent proceedings were ascribed solely to the malice of the duke's enemies, the people, contrary to their usual practice in such marvellous trials, acquitted the unhappy sufferers; and increased their esteem and affection towards a prince, who was thus exposed, without protection, to those mortal injuries.

These sentiments of the public made the cardinal of Winchester and his party sensible, that it was necessary to destroy a man whose popularity might become dangerous, and whose resentment they had so much cause to apprehend. In order to effect their purpose, a parliament was summoned to meet, not at Lon-

<sup>1</sup> Grafton, p. 590. <sup>2</sup> Cotton, p. 630. <sup>3</sup> Holingshed, p. 626. <sup>4</sup> Stowe, p. 381. Holingshed, p. 622. Grafton, p. 587.

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the duke  
of Glou-  
cester.

don, which was supposed to be too well affected to the duke, but at St. Edmondsbury, where they expected that he would lie entirely at their mercy. As soon as he appeared, he was accused of treason, and and thrown into prison. He was, soon after, found dead in his bed;<sup>1</sup> and, though it was pretended that his death was natural, and though his body, which was exposed to public view, bore no marks of outward violence, no one doubted but he had fallen a victim to the vengeance of his enemies. An artifice, formerly practised in the case of Edward II., Richard II. and Thomas, of Woodstock, duke of Gloucester, could deceive nobody. The reason of this assassination of the duke seems, not that the ruling party apprehended his acquittal in parliament, on account of his innocence, which, in such times, was seldom much regarded; but that they imagined his public trial and execution would have been more invidious than his private murder, which they pretended to deny. Some gentlemen of his retinue were afterwards tried, as accomplices in his treasons, and were condemned to be hanged, drawn and quartered. They were hanged and cut down; but, just as the executioner was proceeding to quarter them, their pardon was produced, and they were recovered to life.<sup>2</sup> The most barbarous kind of mercy that can possibly be imagined!

This prince is said to have received a better education than was usual, in his age; to have founded one of the first public libraries in England, and to have been a great patron of learned men. Among other advantages which he reaped from this turn of mind, it tended much to cure him of credulity; of which the following instance is given, by Sir Thomas More. There was a man who pretended that, though he was born blind, he had recovered his sight, by touching the shrine of St. Albans. The duke happening, soon after, to pass that way, questioned the man; and, seeming to doubt of his sight, asked him the colours of several cloaks, worn by persons of his retinue. The man told them very readily. *You are a knave*, cried the prince; *had you been born blind, you could not so soon have learned to distinguish colours*: and immediately ordered him to be set in the stocks, as an imposter.<sup>3</sup>

The cardinal of Winchester died, six weeks after his nephew, whose murder was universally ascribed to him, as well as to the duke of Suffolk, and which, it is said, gave him more remorse in his last moments, than could naturally be expected from a man, hardened, during the course of a long life, in falsehood and in politics. What share the queen had in this guilt, is uncertain; her usual activity and spirit made the public conclude, with some reason, that the duke's enemies durst not have ventured on such a deed, without her privity. But there happened, soon after, an event, of which she and her favourite, the duke of Suffolk, bore incontestably the whole odium.

That article of the marriage treaty, by which the province of

<sup>1</sup> Grafton, p. 597.<sup>2</sup> Fabian Chron. anno 1447.<sup>3</sup> Grafton, p. 597.



Maine was to be ceded to Charles, of Anjou, the queen's uncle, had probably been hitherto kept secret; and, during the lifetime of the duke of Gloucester, it might have been dangerous to venture on the execution of it. But, as the court of France strenuously insisted on performance, orders were now despatched, under Henry's hand, to Sir Francis Surienne, governor of Mans, commanding him to surrender that place to Charles, of Anjou. Surienne, either questioning the authenticity of the order, or regarding his government as his sole fortune, refused compliance; and it became necessary for a French army, under the count of Dunois, to lay siege to the city. The governor made as good a defence as his situation could permit; but, receiving no relief from Edmund, duke of Somerset, who was at that time governor of Normandy, he was at last obliged to capitulate, and to surrender, not only Mans, but all the other fortresses of that province, which was thus entirely alienated from the crown of England.

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The bad effects of this measure stopped not here. Surienne, at the head of all his garrisons, amounting to two thousand five hundred men, retired into Normandy, in expectation of being taken into pay, and in being quartered in some towns of that province. But Somerset, who had no means of subsisting such a multitude, and who was, probably, incensed at Surienne's disobedience, refused to admit him: and this adventurer, not daring to commit depredations on the territories, either of the king of France or of England, marched into Brittany, seized the town of Fougères, repaired the fortifications of Pontorson and St. James de Beuvron, and subsisted his troops by the ravages which he exercised on that whole province.<sup>1</sup> The duke of Brittany complained of this violence, to the king of France, his liege lord: Charles remonstrated with the duke of Somerset: that nobleman replied, that the injury was done without his privity, and that he had no authority over Surienne and his companions.<sup>2</sup> Though this answer ought to have appeared satisfactory to Charles, who had often felt severely the licentious, independent spirit of such mercenary soldiers, he never would admit of the apology. He still insisted, that these plunderers should be recalled, and that reparation should be made to the duke of Brittany, for all the damages which he had sustained: and, in order to render an accommodation absolutely impracticable, he made the estimation of damages amount to no less a sum than one million six hundred thousand crowns. He was sensible of the superiority which the present state of his affairs gave him over England; and he determined to take advantage of it.

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No sooner was the truce concluded between the two kingdoms, than Charles employed himself, with great industry and judgment, in repairing those numberless ills, to which France, from the continuance of wars, both foreign and domestic, had so long been exposed. He restored the course of public justice; he in-

<sup>1</sup> Monstrel. vol. iii. p. 6.    <sup>2</sup> Ibid. p. 7.    Holingshed, p. 629.

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Renewal  
of the war  
with  
France.

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roduced order into the finances; he established discipline in his troops; he repressed faction in his court; he revived the languid state of agriculture and the arts; and, in the course of a few years, he rendered his kingdom flourishing within itself, and formidable to its neighbours. Meanwhile, affairs in England had taken a very different turn. The court was divided into parties, which were enraged against each other: the people were discontented with the government: conquests in France, which were an object more of glory than of interest, were overlooked amidst domestic incidents, which engrossed the attention of all men: the governor of Normandy, ill supplied with money, was obliged to dismiss the greater part of his troops, and to allow the fortifications of the towns and castles to become ruinous: and the nobility and people of that province had, during the late open communication with France, enjoyed frequent opportunities of renewing connexions with their ancient master, and of concerting the means for expelling the English. The occasion, therefore, seemed favourable to Charles, for breaking the truce. Normandy was at once invaded by four powerful armies; one commanded by the king himself; a second by the duke of Brittany; a third by the duke of Alençon; and a fourth by the count of Dunois. The places opened their gates, almost as soon as the French appeared before them; Verneuil, Nogent, Chateau Gaillard, Ponteau de Mer, Gisors, Mante, Vernon, Argentan, Lisieux, Fecamp, Coutances, Belesme, Pont de l'Arche, fell, in an instant, into the hands of the enemy. The duke of Somerset, so far from having an army which could take the field, and relieve these places, was not able to supply them with the necessary garrisons and provisions. He retired, with the few troops of which he was master, into Rouen; and thought it sufficient, if, till the arrival of succours from England, he could save that capital from the general fate of the province. The king of France, at the head of a formidable army, fifty thousand strong, presented himself before the gates: the dangerous example of revolt had infected the inhabitants; and they called aloud for a capitulation. Somerset, unable to resist, at once, both the enemies within and from without, retired, with his garrison, into the palace and castle, which, being places not tenable, he was obliged to surrender: he purchased a retreat to Harfleur, by the payment of fifty-six thousand crowns, by engaging to surrender Arques, Tancarville, Caudebec, Honfleur, and other places in the higher Normandy, and by delivering hostages for the performance of articles.<sup>1</sup> The governor of Honfleur refused to obey his orders; upon which the earl of Shrewsbury, who was one of the hostages, was detained prisoner; and the English were thus deprived of the only general capable of recovering them from their present distressed situation. Harfleur made a better defence, under Sir Thomas Curson, the governor; but was finally obliged to open its gates to Dunois.

<sup>1</sup> Monstrelet, vol. iii. p. 21. Grafton, p. 643.

Succours, at last, appeared from England, under Sir Thomas Kyriel, and landed at Cherbourg: but these came very late, amounted only to four thousand men, and were, soon after, put to rout, at Fourmigni, by the count of Clermont.<sup>1</sup> This battle, or rather skirmish, was the only action fought by the English, for the defence of their dominions in France, which they had purchased at such an expense of blood and treasure. Somerset, shut up in Caen, without any prospect of relief, found it necessary to capitulate: Falaise opened its gates, on condition that the earl of Shrewsbury should be restored to liberty: and Cherbourg, the last place of Normandy which remained in the hands of the English, being delivered up, the conquest of that important province was finished, in a twelvemonth, by Charles, to the great joy of the inhabitants, and of his whole kingdom.<sup>2</sup>

A like rapid success attended the French arms in Guienne; though the inhabitants of that province were, from long custom, better inclined to the English government. Dunois was despatched thither, and met with no resistance in the field, and very little from the towns. Great improvements had been made, during this age, in the structure and management of artillery, and none in fortification; and the art of defence was, by that means, more unequal, than either before or since, to the art of attack. After all the small places about Bordeaux were reduced, that city agreed to submit, if not relieved by a certain time; and as no one in England thought seriously of these distant concerns, no relief appeared; the place surrendered; and Bayonne being taken soon after, this whole province, which had remained united to England since the accession of Henry II. was, after a period of three centuries, finally swallowed up in the French monarchy.

Though no peace or truce was concluded between France and England, the war was, in a manner, at an end. The English, torn in pieces by the civil dissensions which ensued, made but one feeble effort more for the recovery of Guienne: and Charles, occupied at home in regulating the government, and fencing against the intrigues of his factious son, Lewis, the dauphin, scarcely ever attempted to invade them in their island, or to retaliate upon them, by availing himself of their intestine confusions.

<sup>1</sup> Holingshed, p. 631.<sup>2</sup> Grafton, p. 646.

## CHAPTER XXI.

## HENRY VI.

Claim of the duke of York to the crown—The earl of Warwick—Impeachment of the duke of Suffolk—His Banishment—and Death—Popular Insurrection—The parties of York and Lancaster—First armament of the duke of York—First battle of St. Albans—Battle of Blore-heath—of Northampton—A Parliament—Battle of Wakefield—Death of the duke of York—Battle of Mortimer's Cross—Second battle of St. Albans—Edward IV. assumes the Crown—Miscellaneous Transactions of this reign.

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A WEAK prince, seated on the throne of England, had never failed, how gentle soever, and innocent, to be infested with faction, discontent, rebellion, and civil commotions; and as the incapacity of Henry appeared every day in a fuller light, these dangerous consequences began, from past experience, to be universally and justly apprehended. Men, also, of unquiet spirits, no longer employed in foreign wars, whence they were now excluded, by the situation of the neighbouring states, were the more likely to excite intestine disorders, and, by their emulation, rivalry, and animosities, to tear the bowels of their native country. But, though these causes, alone, were sufficient to breed confusion, there concurred another circumstance, of the most dangerous nature: a pretender to the crown appeared: the title itself of the weak prince, who enjoyed the name of sovereignty, was disputed: and the English were now to pay the severe, though late penalty, of their turbulence, under Richard II. and of their levity in violating, without any necessity, or just reason, the lineal succession of their monarchs.

Claim of  
the duke  
of York to  
the crown.

All the males of the house of Mortimer were extinct; but Anne, the sister of the last earl of Marche, having espoused the earl of Cambridge, beheaded in the reign of Henry V. had transmitted her latent, but not yet forgotten claim, to her son, Richard, duke of York. This prince, thus descended by his mother from Philippa, only daughter of the duke of Clarence, second son of Edward III. stood plainly in the order of succession before the king, who derived his descent from the duke of Lancaster, third son of that monarch; and that claim could not, in many respects, have fallen into more dangerous hands than those of the duke of York. Richard was a man of valour and abilities, of a prudent conduct and mild disposition: he had enjoyed an opportunity of displaying these virtues, in his government of France: and, though recalled from that command by the intrigues, and superior interests of the duke of Somerset, he had been sent to suppress a rebellion, in Ireland; had succeeded much better in that enterprise, than his rival, in the defence of Normandy, and had even been able to attach to his person and



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family, the whole Irish nation, whom he was sent to subdue.<sup>1</sup> In the right of his father, he bore the rank of first prince of the blood; and by this station he gave a lustre to his title, derived from the family of Mortimer, which, though of great nobility, was equalled by other families in the kingdom, and had been eclipsed by the royal descent of the house of Lancaster. He possessed an immense fortune from the union of so many successions, those of Cambridge and York, on the one hand, with those of Mortimer, on the other: which last inheritance had, before, been augmented by an union of the estates of Clarence and Ulster with the patrimonial possessions of the family of Marche. The alliances, too, of Richard, by his marrying the daughter of Ralph Nevil, earl of Westmoreland, had widely extended his interest, among the nobility, and had procured him many connexions in that formidable order.

The family of Nevil was, perhaps, at this time, the most potent, both from their opulent possessions, and from the characters of the men, that has ever appeared in England. For, besides the earl of Westmoreland, and the lords Latimer, Fauconberg and Abergavenny, the earls of Salisbury and Warwick were of that family, and were themselves, on many accounts, the greatest noblemen in the kingdom. The earl of Salisbury, brother-in-law to the duke of York, was the eldest son, by a second marriage, of the earl of Westmoreland; and inherited, by his wife, daughter and heir of Montacute, earl of Salisbury, killed before Orleans, the possessions and title of that great family. His eldest son, Richard, had married Anne, the daughter and heir of Beauchamp, earl of Warwick, who died governor of France; and by this alliance he enjoyed the possessions, and had acquired the title of that other family, one of the most opulent, most ancient, and most illustrious in England. The personal qualities, also, of these two earls, especially of Warwick, enhanced the splendour of their nobility, and increased their influence over the people. This latter nobleman, commonly known, from the subsequent events, by the appellation of the *King-maker*, had distinguished himself by his gallantry in the field, by the hospitality of his table, by the magnificence, and still more by the generosity of his expense, and by the spirited and bold manner which attended him in all his actions. The undesigning frankness and openness of his character rendered his conquest over men's affections the more certain and infallible: his presents were regarded as sure testimonies of esteem and friendship, and his professions as the overflowings of his genuine sentiments. No less than thirty thousand persons are said to have daily lived at his board, in the different manors and castles which he possessed in England: the military men, allured by his munificence and hospitality, as well as by his bravery, were zealously attached to his interests. The people, in general, bore him an unlimited affection: his numerous retainers were more

The earl  
of War-  
wick.

<sup>1</sup> Stowe, p. 387.

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devoted to his will than to the prince or to the laws: and he was the greatest, as well as the last of those mighty barons, who formerly overawed the crown, and rendered the people incapable of any regular system of civil government.

But the duke of York, besides the family of Nevil, had many other partisans among the great nobility: Courtney, earl of Devonshire, descended from a very noble family of that name, in France, was attached to his interests: Moubray, duke of Norfolk, had, from his hereditary hatred to the family of Lancaster, embraced the same party: and the discontents, which universally prevailed among the people, rendered every combination of the great the more dangerous to the established government.

Though the people were never willing to grant the supplies necessary for keeping possession of the conquered provinces in France, they repined extremely at the loss of these boasted acquisitions; and fancied, because a sudden irruption could make conquests, that without steady counsels, and a uniform expense, it was possible to maintain them. The voluntary cession of Maine to the queen's uncle had made them suspect treachery in the loss of Normandy and Guienne. They still considered Margaret as a French woman, and a latent enemy of the kingdom; and when they saw her father and all her relations active in promoting the success of the French, they could not be persuaded that she, who was all-powerful in the English council, would, very zealously, oppose them in their enterprises.

But the most fatal blow given to the popularity of the crown, and to the interests of the house of Lancaster, was by the assassination of the virtuous duke of Gloucester, whose character, had he been alive, would have intimidated the partisans of York; but whose memory, being extremely cherished by the people, served to throw an odium on all his murderers. By this crime the reigning family suffered a double prejudice: it was deprived of its firmest support; and it was loaded with all the infamy of that imprudent and barbarous assassination.

As the duke of Suffolk was known to have had an active hand in the crime, he partook deeply of the hatred attending it; and the clamours, which necessarily rose against him, as prime minister, and declared favourite of the queen, were thereby augmented to a tenfold pitch, and became absolutely uncontrollable. The great nobility could ill brook to see a subject exalted above them, much more one who was only great-grandson to a merchant, and who was of a birth so much inferior to theirs. The people complained of his arbitrary measures, which were, in some degree, a necessary consequence of the irregular power, then possessed by the prince, but which the least disaffection easily magnified into tyranny. The great acquisitions which he daily made were the object of envy; and, as they were gained at the expense of the crown, which was itself reduced to poverty, they appeared, on that account, to all indifferent persons, the more exceptionable and invidious.

The revenues of the crown, which had long been disproportioned to its power and dignity, had been extremely dilapidated during the minority of Henry,<sup>1</sup> both by the rapacity of the courtiers, which the king's uncles could not control, and by the necessary expenses of the French war, which had always been very ill supplied by the grants of parliament. The royal demesnes were dissipated; and, at the same time, the king was loaded with a debt of three hundred and seventy-two thousand pounds, a sum so great, that the parliament could never think of discharging it. This unhappy situation forced the ministers upon many arbitrary measures; the household itself could not be supported, without stretching, to the utmost, the right of purveyance, and rendering it a kind of universal robbery upon the people: the public clamour rose high upon this occasion, and no one had the equity to make allowance for the necessity of the king's situation. Suffolk, once become odious, bore the blame of the whole; and every grievance, in every part of the administration, was universally imputed to his tyranny and injustice.

This nobleman, sensible of the public hatred under which he laboured, and foreseeing an attack from the commons, endeavoured to overawe his enemies, by boldly presenting himself to the charge, and by insisting upon his own innocence, and even upon his merits, and those of his family, in the public service. He rose in the house of peers; took notice of the clamours propagated against him; and complained, that after serving the crown in thirty-four campaigns; after living abroad seventeen years, without once returning to his native country; after losing a father and three brothers in the war with France; after being himself a prisoner, and purchasing his liberty by a great ransom; it should yet be suspected, that he had been debauched from his allegiance by that enemy whom he had ever opposed with such zeal and fortitude, and that he had betrayed his prince, who had rewarded his services by the highest honours and greatest offices that it was in his power to confer.<sup>2</sup> This speech did not answer the purpose intended. The commons, rather provoked at his challenge, opened their charge against him, and sent up to the peers an accusation of high treason, divided into several articles. They insisted, that he had persuaded the French king to invade England with an armed force, in order to depose the king, and to place on the throne his own son, John de la Pole, whom he intended to marry to Magaret, the only daughter of the late John, duke of Somerset, and to whom, he imagined, he would by that means acquire a title to the crown: that he had contributed to the release of the duke of Orleans, in hopes that that prince would assist king Charles, in expelling the English from France, and recovering full possession of his kingdom: that he had, afterwards, encouraged that monarch to make open war on Normandy and Guienne, and had promoted his conquests by

Impeachment of  
the duke  
of Suffolk.

<sup>1</sup> Cotton, p. 609.    <sup>2</sup> Ibid. p. 641.

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betraying the secrets of England, and obstructing the succours intended to be sent to those provinces: and that he had, without any powers or commission, promised, by treaty, to cede the province of Maine to Charles, of Anjou, and had, accordingly, ceded it; which proved, in the issue, the chief cause of the loss of Normandy.<sup>1</sup>

It is evident, from a review of these articles, that the commons adopted, without inquiry, all the popular clamours against the duke of Suffolk, and charged him with crimes, of which none but the vulgar could seriously believe him guilty. Nothing can be more incredible, than that a nobleman, so little eminent by his birth and character, could think of acquiring the crown to his family, and of deposing Henry by foreign force, and, together with him, Margaret, his patron, a princess of so much spirit and penetration. Suffolk appealed to many noblemen in the house, who knew that he had intended to marry his son to one of the coheirs of the earl of Warwick, and was disappointed in his views, only by the death of that lady: and he observed, that Margaret, of Somerset, could bring to her husband no title to the crown; because she herself was not so much as comprehended in the entail, settled by act of parliament. It is easy to account for the loss of Normandy and Guienne, from the situation of affairs, in the two kingdoms, without supposing any treachery in the English ministers; and it may safely be affirmed, that greater vigour was requisite to defend these provinces from the arms of Charles VII. than to conquer them at first from his predecessor. It could never be the interest of any English minister, to betray and abandon such acquisitions; much less of one who was so well established in his master's favour, who enjoyed such high honours and ample possessions in his own country, who had nothing to dread but the effects of popular hatred, and who could never think, without the most extreme reluctance, of becoming a fugitive and exile in a foreign land. The only article, which carries any face of probability, is his engagement for the delivery of Maine to the queen's uncle: but Suffolk maintained, with great appearance of truth, that this measure was approved of by several, at the council table:<sup>2</sup> and it seems hard to ascribe to it, as is done by the commons, the subsequent loss of Normandy, and expulsion of the English. Normandy lay open on every side to the invasion of the French: Maine, an inland province, must, soon after, have fallen without any attack: and as the English possessed, in other parts, more fortresses than they could garrison, or provide for, it seemed no bad policy to contract their force, and to render the defence practicable, by reducing it within a narrower compass.

The commons were, probably, sensible that this charge of treason, against Suffolk, would not bear a strict scrutiny; and

<sup>1</sup> Cotton, p. 642. Hall, fol. 157. Holingshed, p. 631. Grafton, p. 607. <sup>2</sup> Cotton, p. 643.



they, therefore, soon after, sent up against him a new charge of misdemeanors, which they also divided into several articles. They affirmed, among other imputations, that he had procured exorbitant grants from the crown, had embezzled the public money, had conferred offices on improper persons, had perverted justice by maintaining iniquitous causes, and had procured pardons for notorious offenders.<sup>1</sup> The articles are mostly general; but are not improbable: and, as Suffolk seems to have been a bad man and a bad minister, it will not be rash in us to think that he was guilty, and that many of these articles could have been proved against him. The court was alarmed at the prosecution of a favourite minister, who lay under such a load of popular prejudices; and an expedient was fallen upon to save him from present ruin. The king summoned all the lords, spiritual and temporal, to his apartment: the prisoner was produced before them, and was asked what he could say in his own defence? He denied the charge; but submitted to the king's mercy: Henry expressed himself not satisfied with regard to the first impeachment for treason; but in consideration of the second, for misdemeanors, he declared, that, by virtue of Suffolk's own submission, not by any judicial authority, he banished him the kingdom, during five years. The lords remained silent; but as soon as they returned to their own house, they entered a protest, that this sentence should nowise infringe their privileges; and that, if Suffolk had insisted upon his right, and had not voluntarily submitted to the king's commands, he was entitled to a trial, by his peers, in parliament.

His banishment.

It was easy to see, that these irregular proceedings were meant to favour Suffolk, and that, as he still possessed the queen's confidence, he would, on the first favourable opportunity, be restored to his country, and be reinstated in his former power and credit. A captain of a vessel was therefore employed by his enemies, to intercept him in his passage to France: he was seized near Dover; his head struck off on the side of the long boat; and his body thrown into the sea.<sup>2</sup> No inquiry was made after the actors and accomplices in this atrocious deed of violence.

The duke of Somerset succeeded to Suffolk's power in the ministry, and credit with the queen; and as he was the person, under whose government the French provinces had been lost, the public, who always judge by the event, soon made him equally the object of their animosity and hatred. The duke of York was absent in Ireland, during all these transactions; and, however it might be suspected that his partisans had excited and supported the prosecution against Suffolk, no immediate ground of complaint could, on that account, lie against him. But there happened, soon after, an incident, which roused the jealousy of the court, and discovered to them the extreme dan-

<sup>1</sup> Cotton, p. 643. <sup>2</sup> Hall, fol. 158. Hist. Croyland, contin. p. 525. Stowe. p. 388. Grafton, p. 610.

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Popular  
insurrec-  
tions.

ger to which they were exposed from the pretensions of that popular prince.

The humours of the people, set afloat by the parliamentary impeachment, and by the fall of so great a favourite as Suffolk, broke out into various commotions, which were soon suppressed; but there arose one in Kent, which was attended with more dangerous consequences. A man of low condition, one John Cade, a native of Ireland, who had been obliged to fly into France for crimes, observed, on his return to England, the discontents of the people; and he laid on them the foundation of projects, which were, at first crowned with surprising success. He took the name of John Mortimer; intending, as is supposed, to pass himself for a son of that Sir John Mortimer, who had been sentenced to death, by parliament, and executed in the beginning of this reign, without any trial or evidence, merely upon an indictment of high treason given in against him.<sup>1</sup> On the first mention of that popular name, the common people of Kent, to the number of twenty thousand, flocked to Cade's standard, and he excited their zeal by publishing complaints against the numerous abuses in government, and demanding a redress of grievances. The court, not yet fully sensible of the danger, sent a small force against the rioters, under the command of Sir Humphrey Stafford, who was defeated and slain in an action near Sevenoke;<sup>2</sup> and Cade, advancing with his followers towards London, encamped on Blackheath. Though elated by his victory, he still maintained the appearance of moderation; and sending to the court a plausible list of grievances,<sup>3</sup> he promised that when these should be redressed, and when lord Say, the treasurer, and Cromer, sheriff of Kent, should be punished for their malversations, he would immediately lay down his arms. The council, who observed that nobody was willing to fight against men so reasonable in their pretensions, carried the king, for present safety to Kenilworth, and the city immediately opened its gates to Cade, who maintained, during some time, great order and discipline among his followers. He always led them into the field during the night time; and published severe edicts, against plunder and violence, of every kind: but being obliged, in order to gratify their malevolence against Say and Cromer, to put these men to death without a legal trial,<sup>4</sup> he found that, after, the commission of this crime, he was no longer master of their riot-

<sup>1</sup> Stowe, p. 436. Cotton, p. 564. This author admires that such a piece of injustice should have been committed in peaceable times: he might have added, and by such virtuous princes as Bedford and Gloucester. But it is to be presumed that Mortimer was guilty; though his condemnation was highly irregular and illegal. The people had, at this time, a very feeble sense of law and a constitution; and power was very imperfectly restrained by these limits. When the proceedings of a parliament were so irregular, it is easy to imagine that those of a king would be more so. <sup>2</sup> Hall, fol. 159. Holingshed, p. 634. Stowe, p. 488, 489. Holingshed, p. 633. <sup>3</sup> Grafton, p. 612.

tous disposition, and that all his orders were neglected.<sup>1</sup> They broke into a rich house, which they plundered; and the citizens, alarmed at this act of violence, shut their gates against them; and being seconded by a detachment of soldiers sent them by lord Scales, governor of the Tower, they repulsed the rebels with great slaughter.<sup>2</sup> The Kentish men were so discouraged by the blow, that, upon receiving a general pardon from the primate, then chancellor, they retreated towards Rochester, and there dispersed. The pardon was, soon after, annulled, as extorted by violence: a price was set on Cade's head,<sup>3</sup> who was killed by one Iden, a gentleman of Sussex; and many of his followers were capitally punished for their rebellion.

It was imagined by the court, that the duke of York had secretly instigated Cade to this attempt, in order to try, by that experiment, the dispositions of the people towards his title and family:<sup>4</sup> and, as the event had so far succeeded to his wish, the ruling party had greater reason than ever to apprehend the future consequences of his pretensions. At the same time they heard that he intended to return from Ireland; and fearing that he meant to bring an armed force along with him, they issued orders, in the king's name, for opposing him, and for debarring him entrance into England.<sup>5</sup> But the duke refuted his enemies by coming attended with no more than his ordinary retinue: the precautions of the ministers served only to show him their jealousy and malignity against him: he was sensible that his title, by being dangerous to the king, was also become dangerous to himself: he now saw the impossibility of remaining in his present situation, and the necessity of proceeding forward in support of his claim. His partisans, therefore, were instructed to maintain, in all companies, his right by succession, and by the established laws and constitution of the kingdom: these questions became every day more and more the subject of conversation: the minds of men were insensibly sharpened against each other by disputes, before they came to more dangerous extremities: and various topics were pleaded in support of the pretensions of each party.

The partisans of the house of Lancaster maintained, that though the elevation of Henry IV. might, at first, be deemed somewhat irregular, and could not be justified by any of those principles, on which that prince chose to rest his title, it was yet founded on general consent, was a national act, and was derived from the voluntary approbation of a free people, who, being loosened from their allegiance, by the tyranny of the preceding government, were moved by gratitude, as well as by a sense of public interest, to entrust the sceptre into the hands of their deliverer: that, even if that establishment were allowed to be at first invalid, it had acquired solidity by time; the only principle which ultimately gives

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1450.

The parties of  
Lancaster  
and York.

<sup>1</sup> Hall, fol. 160. <sup>2</sup> Hist. Croyland, contin. p. 526. <sup>3</sup> Rymer, vol. xi. p. 275.

<sup>4</sup> Cotton, p. 661. Stowe, p. 391. <sup>5</sup> Ibid. p. 394.

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authority to government, and removes those scruples, which the irregular steps, attending almost all revolutions, naturally excite in the minds of the people: that the right of succession was a rule admitted only for general good, and for the maintenance of public order; and could never be pleaded to the overthrow of national tranquillity, and the subversion of regular establishments: that the principles of liberty, no less than the maxims of internal peace, were injured by these pretensions of the house of York; and, if so many reiterated acts of the legislature, by which the crown was entailed on the present family, were now invalidated, the English must be considered, not as a free people, who could dispose of their own government, but as a troop of slaves, who were implicitly transmitted, by succession, from one master to another: that the nation was bound to allegiance under the house of Lancaster by moral, no less than by political duty; and were they to infringe those numerous oaths of fealty which they had sworn to Henry and his predecessors, they would, thenceforth, be thrown loose from all principles, and it would be found difficult, ever after, to fix and restrain them: that the duke of York himself had frequently done homage to the king as his lawful sovereign, and had, thereby, in the most solemn manner, made an indirect renunciation of those claims, with which he now dares to disturb the tranquillity of the public: that, even though the violation of the rights of blood, made on the deposition of Richard, was, perhaps, rash and imprudent, it was too late to remedy the mischief; the danger of a disputed succession could, no longer, be obviated; the people, accustomed to a government, which, in the hands of the late king, had been so glorious, and, in that of his predecessor, so prudent and salutary, would still ascribe a right to it; by causing multiplied disorders, and by shedding an inundation of blood, the advantage would only be obtained, of exchanging one pretender for another; and the house of York, itself, if established on the throne, would, on the first opportunity, be exposed to those revolutions, which the giddy spirit excited in the people, gave so much reason to apprehend: and that though the present king, enjoyed not the shining talents which had appeared in his father and grandfather, he might still have a son, who should be endowed with them; he is himself eminent for the most harmless and inoffensive manners; and, if active princes were dethroned on pretence of tyranny, and indolent ones on the plea of incapacity, there would thenceforth remain in the constitution, no established rule of obedience to any sovereign.

These strong topics in favour of the house of Lancaster, were opposed by arguments no less convincing, on the side of the house of York. The partisans of this latter family asserted, that the maintenance of order in the succession of princes, far from doing injury to the people, or invalidating their fundamental title to good government, was established only for the



purposes of government, and served to prevent those numberless confusions which must ensue, if no rule were followed, but the uncertain and disputed views of present convenience and advantage: that the same maxims, which ensured public peace, were also salutary to national liberty; the privileges of the people could only be obtained by the observance of laws; and if no account were made of the rights of the sovereign, it could less be expected, that any regard would be paid to the property and freedom of the subject: that it was never too late to correct any pernicious precedent; an unjust establishment, the longer it stood, acquired the greater sanction and validity; it could, with more appearance of reason, be pleaded as an authority for a like injustice; and the maintenance of it, instead of favouring public tranquillity, tended to disjoint every principle by which human society was supported: that usurpers would be happy, if their present possession of power, or their continuance for a few years, could convert them into legal princes; but nothing would be more miserable than the people, if all restraints on violence and ambition were thus removed, and a full scope given to the attempts of every turbulent innovator: that time, indeed, might bestow solidity on a government, whose first foundations were the most infirm; but it required, both a long course of time, to produce this effect, and a total extinction of those claimants, whose title was built on the original principles of the constitution: that the deposition of Richard II. and the advancement of Henry IV. were not deliberate national acts, but the result of the levity and violence of the people, and proceeded from those very defects in human nature, which the establishment of political society, and of an order in succession, was calculated to prevent: that the subsequent entails of the crown, were a continuance of the same violence and usurpation; they were not ratified by the legislature, since the consent of the rightful king was still wanting; and the acquiescence, first, of the family of Mortimer, then of the family of York, proceeded from present necessity, and implied no renunciation of their pretensions: that the restoration of the true order of succession, could not be considered as a change, which familiarized the people to revolutions; but as a correction of a former abuse, which had, itself, encouraged the giddy spirit of innovations, rebellion, and disobedience: and that, as the original title of Lancaster, stood only in the person of Henry IV. on present convenience, even this principle, unjustifiable as it was, when not supported by laws, and warranted by the constitution, had now entirely gone over to the other side; nor was there any comparison between a prince, utterly unable to sway the sceptre, and blindly governed by corrupt ministers, or by an imperious queen, engaged in foreign and hostile interests, and a prince of mature years, of approved wisdom and experience, a native of England, the lineal heir of the crown, who, by his restoration, would replace every thing on ancient foundations.

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So many plausible arguments could be urged on both sides of this interesting question, that the people were extremely divided in their sentiments; and though the noblemen of greatest power and influence, seem to have espoused the party of York, the opposite cause had the advantage of being supported by the present laws, and by the immediate possession of royal authority. There were also many great noblemen in the Lancastrian party, who balanced the power of their antagonists, and kept the nation in suspense between them. The earl of Northumberland adhered to the present government: the earl of Westmoreland, in spite of his connexions with the duke of York, and with the family of Nevil, of which he was the head, was brought over to the same party; and the whole north of England, the most warlike part of the kingdom, was, by means of these two potent noblemen, warmly engaged in the interests of Lancaster. Edmund Beaufort, duke of Somerset, and his brother Henry, were great supporters of that cause; as were also Henry Holland, duke of Exeter, Stafford, duke of Buckingham, the earl of Shrewsbury, the lords Clifford, Dudley, Scales, Audley, and other noblemen.

While the kingdom was in this situation, it might naturally be expected, that so many turbulent barons, possessed of so much independent authority, would immediately have flown to arms, and have decided the quarrel, after their usual manner, by war and battle, under the standards of the contending princes. But there still were many causes, which retarded these desperate extremities, and made a long train of faction, intrigue, and cabal, precede the military operations. By the gradual progress of arts in England, as well as in other parts of Europe, the people were now become of some importance; laws were beginning to be respected by them; and it was requisite, by various pretences, previously to reconcile their minds, to the overthrow of such an ancient establishment, as that of the house of Lancaster, ere their concurrence could reasonably be expected. The duke of York, himself, the new claimant, was of a moderate and cautious character, an enemy to violence, and disposed to trust, rather to time and policy, than to sanguinary measures, for the success of his pretensions. The very imbecility, itself, of Henry, tended to keep the factions in suspense, and make them stand long in awe of each other: it rendered the Lancastrian party unable to strike any violent blow against their enemies; it encouraged the Yorkists to hope, that, after banishing the king's ministers, and getting possession of his person, they might gradually undermine his authority, and be able, without the perilous expedient of a civil war, to change the succession by parliamentary and legal authority.

1451.  
6th Nov.

The dispositions, which appeared in a parliament, assembled soon after the arrival of the duke of York from Ireland, favoured these expectations of his partisans, and both discovered an unusual boldness in the commons, and were a proof of the

general discontents which prevailed against the administration. The lower house, without any previous inquiry or examination, without alleging any other ground of complaint than common fame, ventured to present a petition against the duke of Somerset, the dutchess of Suffolk, the bishop of Chester, Sir John Sutton, lord Dudley, and several others of inferior rank; and they prayed the king to remove them for ever from his person and councils, and to prohibit them from approaching within twelve miles of the court.<sup>1</sup> This was a violent attack, somewhat arbitrary, and supported but by few precedents, against the ministry; yet the king durst not openly oppose it: he replied, that, except the lords, he would banish all the others from court during a year, unless he should have occasion for their service, in suppressing any rebellion. At the same time he rejected a bill, which had passed both houses, for attainting the late duke of Suffolk, and which, in several of its clauses, discovered a very general prejudice against the measures of the court.

The duke of York, trusting to these symptoms, raised an army of ten thousand men, with which he marched towards London; demanding a reformation of the government, and the removal of the duke of Somerset from all power and authority.<sup>2</sup> He unexpectedly found the gates of the city shut against him; and on his retreating into Kent, he was followed by the king, at the head of a superior army; in which several of Richard's friends, particularly Salisbury and Warwick, appeared; probably with a view of mediating between the parties, and of seconding, on occasion, the duke of York's pretensions. A parley ensued; Richard still insisted upon the removal of Somerset, and his submitting to a trial in parliament: the court pretended to comply with his demand; and that nobleman was put in arrest: the duke of York was then persuaded to pay his respects to the king, in his tent; and, on repeating his charge against the duke of Somerset, he was surprised to see that minister step from behind the curtain, and offer to maintain his innocence. Richard now found that he had been betrayed; that he was in the hands of his enemies; and that it was become necessary, for his own safety, to lower his pretensions. No violence, however, was attempted against him: the nation was not in a disposition to bear the destruction of so popular a prince: he had many friends in Henry's camp: and his son, who was not in the power of the court, might still be able to revenge his death on all his enemies: he was, therefore, dismissed; and he retired to his seat of Wigmores, on the borders of Wales.<sup>3</sup>

While the duke of York lived in this retreat, there happened an incident, which, by increasing the public discontents, proved favourable to his pretensions. Several Gascon lords, affectionate to the English government, and disgusted at the new dominion of the French, came to London, and offered to return to their alie-

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1452.

The first  
armament  
of the  
duke of  
York.

<sup>1</sup> Parliamentary History, vol. ii. p. 263. <sup>2</sup> Stowe, p. 394. <sup>3</sup> Grafton, p. 620.

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1454.  
29th July.

giance under Henry.<sup>1</sup> The earl of Shrewsbury, with a body of eight thousand men, was sent over to support them. Bourdeaux opened its gates to him: he made himself master of Fronsac, Castillon, and some other places: affairs began to wear a favourable aspect: but, as Charles hastened to resist this dangerous invasion, the fortunes of the English were soon reversed: Shrewsbury, a venerable warrior, above four-score years of age, fell in battle: his conquests were lost; Bourdeaux was again obliged to submit to the French king;<sup>2</sup> and all hopes of recovering the province of Gascony, were for ever extinguished.

13th Oct.

Though the English might deem themselves happy to be fairly rid of distant dominions, which were of no use to them, and which they never could defend against the growing power of France, they expressed great discontent on the occasion; and they threw all the blame on the ministry, who had not been able to effect impossibilities. While they were in this disposition, the queen's delivery of a son, who received the name of Edward, was deemed no joyful incident; and as it removed all hopes of the peaceable succession of the duke of York, who was otherwise, in the right of his father, and by the laws enacted since the accession of the house of Lancaster, next heir to the crown, it had rather a tendency to inflame the quarrel between the parties. But the duke was incapable of violent counsels; and even when no visible obstacle lay between him and the throne, he was prevented, by his own scruples, from mounting it. Henry, always unfit to exercise the government, fell at this time into a distemper, which so far increased his natural imbecility, that it rendered him incapable of maintaining even the appearance of royalty. The queen and the council, destitute of this support, found themselves unable to resist the York party; and they were obliged to yield to the torrent. They sent Somerset to the Tower, and appointed Richard lieutenant of the kingdom, with powers to open and hold a session of parliament.<sup>3</sup> That assembly, also, taking into consideration the state of the kingdom, created him protector during pleasure. Men who thus entrusted sovereign authority to one that had such evident and strong pretensions to the crown, were not surely averse to his taking immediate and full possession of it: yet the duke, instead of pushing them to make farther concessions, appeared somewhat timid and irresolute, even in receiving the power which was tendered to him. He desired that it might be recorded in parliament, that this authority was conferred on him from their own free motion, without any application on his part: he expressed his hopes that they would assist him in the exercise of it: he made it a condition of acceptance, that the other lords, who were appointed to be of his council, should also accept of the trust, and should exercise it: and he required that

<sup>1</sup> Holingshed, p. 640.    <sup>2</sup> Ployd. Virg. p. 501.    Grafton, p. 623.    <sup>3</sup> Rymer, vol. xi. p. 344.



all the powers of his office should be specified and defined by act of parliament. The moderation of Richard was certainly very unusual and very amiable: yet was it attended with bad consequences in the present juncture, and, by giving time to the animosities of faction to rise and ferment, it proved the source of all those furious wars and commotions which ensued.

The enemies of the duke of York soon found it in their power to make advantage of his excessive caution. Henry, being so far recovered from his distemper, as to carry the appearance of exercising the royal power, they moved him to resume his authority, to annul the protectorship of the duke, to release Somerset from the Tower,<sup>1</sup> and to commit the administration into the hands of that nobleman. Richard, sensible of the dangers which might attend his former acceptance of the parliamentary commission, should he submit to the annulling of it, levied an army; but still without advancing any pretensions to the crown. He complained only of the king's ministers, and demanded a reformation of the government. A battle was fought at St. Albans, in which the Yorkists were superior, and without suffering any material loss, slew about five thousand of their enemies; among whom were the duke of Somerset, the earl of Northumberland, the earl of Stafford, eldest son of the duke of Buckingham, lord Clifford, and many other persons of distinction.<sup>2</sup> The king himself fell into the hands of the duke of York, who treated him with great respect and tenderness: he was only obliged, (which he regarded as no hardship) to commit the whole authority of the crown into the hands of his rival.

This was the first blood spilt, in that fatal quarrel, which was not finished in less than a course of thirty years, which was signalized by twelve pitched battles, which opened a scene of extraordinary fierceness and cruelty, is computed to have cost the lives of eighty princes of the blood, and almost entirely annihilated the ancient nobility of England. The strong attachments, which at that time men of the same kindred bore to each other, and the vindictive spirit, which was considered as a point of honour, rendered the great families implacable in their resentments, and every moment widened the breach between the parties. Yet affairs did not immediately proceed to the last extremities: the nation was kept some time in suspense: the vigour and spirit of queen Margaret, supporting her small power, still proved a balance to the great authority of Richard, which was checked by his irresolute temper. A parliament, which was soon after assembled, 9th July, plainly discovered, by the contrariety of their proceedings, the contrariety of the motives by which they were actuated. They granted the Yorkists a general indemnity; and they restored the protectorship to the duke, who, in accepting it, still persevered

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First battle of St. Albans.  
22d May.

<sup>1</sup> Rymer, vol. xi. p. 361. Holingshed, p. 641. Grafton, p. 626. <sup>2</sup> Stowe, p. 309. Holingshed, p. 643.

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in all his former precautions: but, at the same time, they renewed their oaths of fealty to Edward, and fixed the continuance of the protectorship to the majority of his son Edward, who was vested with the usual dignities of prince of Wales, duke of Cornwall, and earl of Chester. The only decisive act passed in this parliament, was a full resumption of all the grants which had been made since the death of Henry V. and which had reduced the crown to great poverty.

1456.

It was not found difficult to wrest power from hands so little tenacious as those of the duke of York. Margaret, availing herself of that prince's absence, produced her husband before the house of lords; and, as his state of health permitted him, at that time, to act his part with some tolerable decency, he declared his intentions of resuming the government, and of putting an end to Richard's authority. This measure, being unexpected, was not opposed by the contrary party: the house of lords, who were many of them disgusted with the late act of resumption, assented to Henry's proposal: and the king was declared to be reinstated in the sovereign authority. Even the duke of York acquiesced in this irregular act of the peers; and no disturbance ensued. But that prince's claim to the crown was too well known, and the steps which he had taken to promote it, were too evident, ever to allow sincere trust and confidence to have place between the parties.

1457.

The court retired to Coventry, and invited the duke of York, and the earls of Salisbury and Warwick, to attend the king's person. When they were on the road, they received intelligence that designs were formed against their liberties and lives. They immediately separated themselves: Richard withdrew to his castle of Wigmore; Salisbury to Middleham, in Yorkshire; and Warwick to his government of Calais, which had been committed to him after the battle of St. Albans, and which, as it gave him the command of the only regular military force maintained by England, was of the utmost importance in the present juncture. Sull, men of peaceable dispositions, and, among the rest, Bouchier, archbishop of Canterbury, thought it not too late to interpose, with their good offices, in order to prevent that effusion of blood with which the kingdom was threatened; and the awe in which each party stood of the other, rendered the mediation, for some time, successful. It was agreed, that all the great leaders, on both sides,

1458.

should meet in London, and be solemnly reconciled. The duke of York, and his partisans, came thither with numerous retinues, and took up their quarters near each other, for mutual security. The leaders of the Lancastrian party used the same precaution. The mayor, at the head of five thousand men, kept a strict watch, night and day; and was extremely vigilant in maintaining peace between them.<sup>1</sup> Terms were adjusted,

<sup>1</sup> Fabian. Chron. anno 1458. The author says, that some lords brought nine hundred retainers, some six hundred, none less than four hundred. See also Grafton, p. 633.

which removed not the ground of difference. An outward reconciliation only was procured: and in order to notify this accord to the whole people, a solemn procession to St. Paul's was appointed, where the duke of York led queen Margaret, and a leader of one party marched, hand in hand, with a leader of the opposite. The less real cordiality prevailed, the more were the exterior demonstrations of amity redoubled. But it was evident, that a contest for a crown could not thus be peaceably accommodated: that each party watched only for an opportunity of subverting the other; and that much blood must yet be spilt, ere the nation could be restored to perfect tranquillity, or enjoy a settled and established government.

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Even the smallest accident, without any formed design, was sufficient, in the present disposition of men's minds, to dissolve the seeming harmony between the parties; and had the intentions of the leaders been ever so amicable, they would have found it difficult to restrain the animosity of their followers. One of the king's retinue insulted one of the earl of Warwick's: their companions, on both sides, took part in the quarrel: a fierce combat ensued: the earl apprehended his life to be aimed at: he fled to his government, of Calais; and both parties, in every county of England, openly made preparations for deciding the contest by war and arms.

1459.

The earl of Salisbury, marching to join the duke of York, was overtaken, at Bloreheath, on the borders of Staffordshire, by lord Audley, who commanded much superior forces; and a small rivulet, with steep banks, ran between the armies. Salisbury here supplied his defect in numbers by stratagem; a refinement, of which there occur few instances in the English civil wars, where a headlong courage, more than military conduct, is commonly to be remarked. He feigned a retreat, and allured Audley to follow him, with precipitation: but when the van of the royal army passed the brook, Salisbury suddenly turned upon them: and, partly by the surprise, partly by the division of the enemy's forces, put this body to rout: the example of flight was followed by the rest of the army; and Salisbury, obtaining a complete victory, reached the general rendezvous of the Yorkists, at Ludlow.<sup>1</sup>

Battle of  
Blore-  
heath.  
23d Sept.

The earl of Warwick brought over to this rendezvous a choice body of veterans, from Calais, on whom it was thought the fortune of the war would much depend; but this reinforcement occasioned, in the issue, the immediate ruin of the duke of York's party. When the royal army approached, and a general action was every hour expected, Sir Andrew Trollop, who commanded the veterans, deserted to the king, in the night time, and the Yorkists were so dismayed at this instance of treachery, which made every man suspicious of his fellow, that they separated, next day, without striking a stroke:<sup>2</sup> the duke fled to Ireland: the earl of

<sup>1</sup> Holingshed, p. 649. Grafton, p. 236. <sup>2</sup> Holingshed, p. 650. Grafton, p. 537.

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1459.

Warwick, attended by many of the other leaders, escaped to Calais : where his great popularity, among all orders of men, particularly among the military, soon drew to him partisans, and rendered his power very formidable. The friends of the house of York, in England, kept themselves every where in readiness to rise, on the first summons from their leaders.

1460.

After meeting with some successes at sea, Warwick landed in Kent, with the earl of Salisbury, and the earl of Marche, eldest son of the duke of York ; and, being met by the primate, by lord Cobham, and other persons of distinction, he marched, amidst the acclamations of the people, to London. The city immediately opened its gates to him ; and, his troops increasing on every day's march, he soon found himself in a condition to face the royal army, which hastened from Coventry to attack him. The battle was fought at Northampton ; and was soon decided against the royalists, by the infidelity of lord Grey, of Ruthin, who commanding Henry's van, deserted to the enemy during the heat of the action, and spread a consternation through the troops. The duke of Buckingham, the earl of Shrewsbury, the lords Beaumont and Egremont, and Sir William Lucie, were killed in the action or pursuit : the slaughter fell chiefly on the gentry and nobility ; the common people were spared, by orders of the earls of Warwick and Marche.<sup>1</sup> Henry himself, that empty shadow of a king, was again taken prisoner ; and, as the innocence and simplicity of his manners, which bore the appearance of sanctity, had procured him the tender regard of the people,<sup>2</sup> the earl of Warwick, and the other leaders, took care to distinguish themselves by their respectful demeanor towards him.

Battle of  
North-  
ampton  
10th July.

A parlia-  
ment.  
7th Oct.

A parliament was summoned, in the king's name, and met at Westminster, where the duke soon after appeared, from Ireland. This prince had never, hitherto, advanced, openly, any claim to the crown : he had only complained of ill ministers, and demanded a redress of grievances : and even in the present crisis, when the parliament was surrounded by his victorious army, he showed such a regard to law and liberty, as is unusual during the prevalence of a party, in any civil dissensions ; and was still less to be expected in those violent and licentious times. He advanced towards the throne ; and, being met by the archbishop of Canterbury, who asked him, whether he had yet paid his respects to the king ? he replied, that he knew of none to whom he owed that title. He then stood near the throne,<sup>3</sup> and addressing himself to the house of peers, he gave them a deduction of his title, by descent, mentioned the cruelties by which the house of Lancaster had paved their way to sovereign power, insisted on the calamities which had attended the government of Henry, exhorted them to return into the

<sup>1</sup> Stowe, p. 409. <sup>2</sup> Hall, fol. 169. Grafton, p. 195. <sup>3</sup> Holingshed, p. 655.



right path, by doing justice to the lineal successor, and thus pleaded his cause before them, as his natural and legal judges.<sup>1</sup> This cool and moderate manner of demanding a crown, intimidated his friends, and encouraged his enemies: the lords remained in suspense:<sup>2</sup> and no one ventured to utter a word on the occasion. Richard, who had probably expected that the peers would have invited him to place himself on the throne, was much disappointed at their silence; but, desiring them to reflect on what he had proposed to them, he departed the house. The peers took the matter into consideration with as much tranquillity, as if it had been a common subject of debate: they desired the assistance of some considerable members among the commons, in their deliberations: they heard, in several successive days, the reasons alleged for the duke of York: they even ventured to propose objections to his claim, founded on former entails of the crown, and on the oaths of fealty, sworn to the house of Lancaster:<sup>3</sup> they also observed, that, as Richard had, all along, borne the arms of York, not those of Clarence, he could not claim, as successor to the latter family: and, after receiving answers to these objections, derived from the violence and power by which the house of Lancaster supported their present possession of the crown, they proceeded to give a decision. Their sentence was calculated, as far as possible, to please both parties: they declared the title of the duke of York to be certain and indefeasible; but, in consideration that Henry had enjoyed the crown without dispute or controversy, during the course of thirty-eight years, they determined, that he should continue to possess the title and dignity, during the remainder of his life; that the administration of the government, meanwhile, should remain with Richard; that he should be acknowledged the true and lawful heir of the monarchy; that every one should swear to maintain his succession, and it should be treason to attempt his life; and that all former settlements of the crown, in this and the two last reigns, should be abrogated and rescinded.<sup>4</sup> The duke acquiesced in this proposal: Henry himself, being a prisoner, could not oppose it: even if he had enjoyed his liberty, he would not, probably, have felt any violent reluctance against it: and the act thus passed, with the unanimous consent of the whole legislative body. Though the mildness of this compromise is chiefly to be ascribed to the moderation of the duke of York, it is impossible not to observe, in those transactions, visible marks of a higher regard to law, and of a more fixed authority, enjoyed by parliament, than has appeared in any former period of English history.

It is probable that the duke, without employing either menaces or violence, could have obtained from the commons, a settlement more consistent and uniform; but, as many, if not all the mem-

<sup>1</sup> Cotton, p. 665. Grafton, p. 643. <sup>2</sup> Holingshed, p. 657. Grafton, p. 645. <sup>3</sup> Cotton, p. 666. <sup>4</sup> Ibid. Grafton, p. 647.

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bers of the upper house had received grants, concessions, or dignities, during the last sixty years, when the house of Lancaster was possessed of the government, they were afraid of invalidating their own titles, by too sudden and violent an overthrow of that family; and, in thus temporizing between the parties, they fixed the throne on a basis upon which it could not possibly stand. The duke, apprehending his chief danger to arise from the genius and spirit of queen Margaret, sought a pretence for banishing her the kingdom: he sent her, in the king's name, a summons to come immediately to London; intending, in case of her disobedience, to proceed to extremities against her. But the queen needed not this menace to excite her activity, in defending the rights of her family. After the defeat of Northampton, she fled, with her infant son, to Durham, thence to Scotland; but soon returning, she applied to the northern barons, and employed every motive to procure their assistance. Her affability, insinuation, and address, qualities in which she excelled; her caresses, her promises, wrought a wonderful effect on every one who approached her: the admiration of her great qualities was succeeded by compassion towards her helpless condition: the nobility of that quarter, who regarded themselves as the most warlike in the kingdom, were moved by indignation to find the southern barons pretend to dispose of the crown, and settle the government: and, that they might allure the people to their standard, they promised them the spoils of all the provinces on the other side of the Trent. By these means, the queen had collected an army of twenty thousand strong, with a celerity which was neither expected by her friends, nor apprehended by her enemies.

The duke of York, informed of her appearance in the north, hastened thither with a body of five thousand men, to suppress, as he imagined, the beginnings of an insurrection; when, on his arrival at Wakefield, he found himself so much outnumbered by the enemy. He threw himself into Sandal castle, which was situated in the neighbourhood: and he was advised by the earl of Salisbury, and other prudent counsellors, to remain in that fortress, till his son, the earl of Marche, who was levying forces in the borders of Wales, could advance to his assistance.<sup>1</sup> But the duke, though deficient in political courage, possessed personal bravery, in an eminent degree; and, notwithstanding his wisdom and experience, he thought that he should be for ever disgraced, if, by taking shelter behind walls, he should, for a moment, resign the victory to a woman. He descended into the plain, and offered battle to the enemy, which was instantly accepted. The great inequality of numbers was sufficient, alone, to decide the victory: but the queen, by sending a detachment, who fell on the back of the duke's army,

Battle of  
Wake-  
field. .  
24th Dec.

<sup>1</sup> Stowe, p. 412.

rendered her advantage still more certain and undisputed. The duke himself was killed in the action: and, as his body was found among the slain, the head was cut off by Margaret's orders, and fixed on the gates of York, with a paper crown upon it, in derision of his pretended title. His son, the earl of Rutland, a youth of seventeen, was brought to lord Clifford; and that barbarian, in revenge of his father's death, who had perished in the battle of St. Albans, murdered, in cool blood, and with his own hands, this innocent prince, whose exterior figure, as well as other accomplishments, are represented by historians as extremely amiable. The earl of Salisbury was wounded and taken prisoner, and immediately beheaded, with several other persons of distinction, by martial law, at Pomfret.<sup>1</sup> There fell near three thousand Yorkists in this battle: the duke himself was greatly and justly lamented by his own party: a prince who merited a better fate, and whose errors in conduct proceeded entirely from such qualities as render him the more an object of esteem and affection. He perished in the fiftieth year of his age, and left three sons, Edward, George, and Richard, with three daughters, Anne, Elizabeth, and Margaret.

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Death of  
the duke  
of York.

The queen, after this important victory, divided her army. She sent the smaller division, under Jasper Tudor, earl of Pembroke, half brother to the king, against Edward, the new duke of York. She herself marched, with the larger division, towards London, where the earl of Warwick had been left, with the command of the Yorkists. Pembroke was defeated by Edward, at Mortimer's Cross, in Herefordshire, with the loss of near four thousand men: his army was dispersed; he himself escaped by flight; but his father, Sir Owen Tudor, was taken prisoner, and immediately beheaded, by Edward's orders. This barbarous practice, being once begun, was continued by both parties, from a spirit of revenge, which covered itself under the pretence of retaliation.<sup>2</sup>

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Battle of  
Morti-  
mer's  
Cross.

Margaret compensated this defeat by a victory, which she obtained over the earl of Warwick. That nobleman, on the approach of the Lancastrians, led out his army, reinforced by a strong body of the Londoners, who were affectionate to his cause; and he gave battle to the queen at St. Albans. While the armies were warmly engaged, Lovelace, who commanded a considerable body of the Yorkists, withdrew from the combat; and this treacherous conduct, of which there are many instances in those civil wars, decided the victory in favour of the queen. About two thousand three hundred of the vanquished perished in the battle and pursuit; and the person of the king fell again into the hands of his own party. This weak prince was sure to be almost equally a prisoner, which ever faction had the keeping of him; and scarcely any more decorum was observed by one than by the other, in their method of treating him. Lord Bonville, to whose care he

Second  
battle of  
St. Albans.<sup>1</sup> Polyd. Virg. p. 510. <sup>2</sup> Holingshed, p. 660. Grafton, p. 650.

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had been entrusted by the Yorkists, remained with him after the defeat, on assurances of pardon given him by Henry; but Margaret, regardless of her husband's promise, immediately ordered the head of that nobleman to be struck off by the executioner.<sup>1</sup> Sir Thomas Kiriell, a brave warrior, who had signalized himself in the French wars, was treated in the same manner.

The queen made no great advantage of this victory: young Edward advanced upon her, from the other side; and collecting the remains of Warwick's army, was soon in a condition of giving her battle with superior forces. She was sensible of her danger, while she lay between the enemy and the city of London: and she found it necessary to retreat with her army to the north.<sup>2</sup> Edward entered the capital amidst the acclamations of the citizens, and immediately opened a new scene to his party. This prince, in the bloom of youth, remarkable for the beauty of his person, for his bravery, his activity, his affability, and every popular quality, found himself so much possessed of public favour, that, elated with the spirit natural to his age, he resolved no longer to confine himself within those narrow limits which his father had prescribed to himself, and which had been found, by experience, so prejudicial to his cause. He determined to assume the name and dignity of king; to insist openly on his claim; and thenceforth to treat the opposite party as traitors and rebels to his lawful authority. But as a national consent, or the appearance of it, still seemed, notwithstanding his plausible title, requisite to precede this bold measure, and as the assembling of a parliament might occasion too many delays, and be attended with other inconveniences, he ventured to proceed in a less regular manner, and to put it out of the power of his enemies to throw obstacles in the way of his elevation. His army was ordered to assemble in St. John's Fields; great numbers of people surrounded them; an harangue was pronounced to this mixed multitude, setting forth the title of Edward, and inveighing against the tyranny and usurpation of the rival family; and the people were then asked, whether they would have Henry, of Lancaster, for king? They unanimously exclaimed against the proposal. It was then demanded, whether they would accept of Edward, eldest son of the late duke of York? They expressed their assent by loud and joyful acclamations.<sup>3</sup> A great number of bishops, lords, magistrates, and other persons of distinction, were next assembled at Baynard's castle, who ratified the popular elections; and the new king was, on the subsequent day, proclaimed in London, by the title of Edward IV.<sup>4</sup>

Edward  
IV. as-  
sumes the  
crown.  
5th March.

In this manner, ended the reign of Henry VI., a monarch who, while in his cradle, had been proclaimed king, both of France and England, and who began his life with the most splendid

<sup>1</sup> Holingshed, p. 660. <sup>2</sup> Grafton, p. 652. <sup>3</sup> Stowe, p. 415. Holingshed, p. 661. <sup>4</sup> Grafton, p. 653.



prospects that any prince in Europe had ever enjoyed. The revolution was unhappy for his people, as it was the source of civil wars; but was almost entirely indifferent to Henry himself, who was utterly incapable of exercising his authority, and who, provided he personally met with good usage, was equally easy, as he was equally enslaved, in the hands of his enemies, and of his friends. His weakness and his disputed title were the chief causes of the public calamities: but whether his queen and his ministers were not, also, guilty of some great abuses of power, it is not easy for us, at this distance of time, to determine: there remain no proofs on record, of any considerable violation of the laws, except in the assassination of the duke of Gloucester, which was a private crime, formed no precedent, and was but too much of a piece with the usual ferocity and cruelty of the times.

The most remarkable law which passed in this reign, was that for the due election of members of parliament in counties. After the fall of the feudal system, the distinction of tenures was, in some measure, lost; and every freeholder, as well those who held of mesne lords, as the immediate tenants of the crown, were, by degrees, admitted to give their votes at elections. This innovation (for such it may probably be esteemed) was indirectly confirmed by a law of Henry IV.<sup>1</sup> which gave right to such a multitude of electors as was the occasion of great disorder. In the eighth and tenth of this king, therefore, laws were enacted, limiting the electors to such as possessed forty shillings a year in land, free from all burdens, within the county.<sup>2</sup> This sum was equivalent to near twenty pounds a year, of our present money; and it were to be wished, that the spirit, as well as letter of this law, had been maintained.

The preamble of the statute is remarkable: "Whereas the elections of knights have, of late, in many counties of England, been made by outrages and excessive numbers of people, many of them of small substance and value, yet pretending to a right equal to the best knights and esquires: whereby man-slaughters, riots, batteries, and divisions among the gentlemen, and other people of the same counties, shall very likely rise and be, unless due remedy be provided in this behalf," &c. We may learn from these expressions, what an important matter the election of a member of parliament was now become in England: that assembly was beginning, in this period, to assume great authority: the commons had it much in their power to enforce the execution of the laws; and if they failed of success in this particular, it proceeded less from any exorbitant power of the crown, than from the licentious spirit of the aristocracy, and perhaps from the rude education of the age, and their own ignorance of the advantages resulting from a regular administration of justice.

<sup>1</sup> Statutes at large, 7 Henry IV. cap. 15.    <sup>2</sup> Statutes at large, 8 Henry VI. cap. 7.    10 Henry VI. cap. 2.

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When the duke of York, the earls of Salisbury and Warwick, fled the kingdom upon the desertion of their troops, a parliament was summoned at Coventry, in 1460, by which they were all attainted. This parliament seems to have been very irregularly constituted, and scarcely deserves the name: insomuch, that an act passed in it, "that all such knights, of any county, as were returned, by virtue of the king's letters, without any other election, should be valid, and that no sheriff should, for returning them, incur the penalty of the statute of Henry IV."<sup>1</sup> All the acts of that parliament were, afterwards, reversed; "because it was unlawfully summoned, and the knights and barons not duly chosen."<sup>2</sup>

The parliaments, in this reign, instead of relaxing their vigilance against the usurpations of the court of Rome, endeavoured to enforce the former statutes enacted for that purpose. The commons petitioned, that no foreigner should be capable of any church preferment and that the patron might be allowed to present anew, upon the non-residence of any incumbent:<sup>3</sup> but the king eluded these petitions. Pope Martin wrote him a severe letter against the statute of provisors; which he calls an abominable law, that would infallibly damn every one who observed it.<sup>4</sup> The cardinal of Winchester was legate; and as he was, also, a prime minister, and immensely rich, from the profits of his clerical dignities, the parliament became jealous, lest he should extend the papal power; and they protested, that the cardinal should absent himself, in all affairs and councils of the king, whenever the pope, or see of Rome, was touched upon.<sup>5</sup>

Permission was given by parliament, to export corn, when it was at low prices; wheat at six shillings and eight pence a quarter, money of that age: barley at three shillings and four pence.<sup>6</sup> It appears, from these prices, that corn still remained at near half its present value; though other commodities were much cheaper. The inland commerce of corn was also opened in the eighteenth of the king, by allowing any collector of the customs to grant a license for carrying it from one county to another.<sup>7</sup> The same year a kind of navigation act was proposed, with regard to all places within the Straits; but the king rejected it.<sup>8</sup>

The first instance of debt, contracted upon parliamentary security, occurs in this reign.<sup>9</sup> The commencement of this pernicious practice deserves to be noted; a practice, the more likely to become pernicious, the more a nation advances in opulence and credit. The ruinous effects of it are now become but too apparent, and threaten the very existence of the nation.

<sup>1</sup> Cotton, p. 664. <sup>2</sup> Statutes at large, 39 Henry VI. cap. 1. <sup>3</sup> Cotton, p. 585. <sup>4</sup> Burnet's Collection of Records, vol. i. p. 99. <sup>5</sup> Cotton, p. 593. <sup>6</sup> Statutes at large, 15 Henry VI. cap. 2. <sup>7</sup> 23 Henry VI. cap. 6. <sup>8</sup> Cotton, p. 625. <sup>9</sup> Ibid. p. 626. <sup>10</sup> Ibid. p. 593, 634, 638.

## CHAPTER XXII.

## EDWARD IV.

**Battle of Touton—Henry escapes into Scotland—A Parliament—Battle of Hexham—Henry taken prisoner, and confined in the Tower—King's Marriage with the lady Elizabeth Gray—Warwick disgusted—Alliance with Burgundy—Insurrection in Yorkshire—Battle of Banbury—Warwick and Clarence banished—Warwick and Clarence return—Edward IV. expelled—Henry VI. restored—Edward IV. returns—Battle of Barnet—and Death of Warwick—Battle of Tewkesbury, and Murder of Prince Edward—Death of Henry VI.—Invasion of France—Peace of Pecquigni—Trial and Execution of the duke of Clarence—Death—and Character of Edward IV.**

YOUNG Edward, now in his twentieth year, was of a temper well fitted to make his way through such a scene of war, havoc, and devastation, as must conduct him to the full possession of that crown, which he claimed from hereditary right, but which he had assumed from the tumultuary election alone of his own party. He was bold, active, enterprising; and his hardness of heart and severity of character, rendered him impregnable to all those movements of compassion, which might relax his vigour, in the prosecution of the most bloody revenges upon his enemies. The very commencement of his reign gave symptoms of his sanguinary disposition. A tradesman of London, who kept a shop at the sign of the crown, having said that he would make his son heir to the crown, this harmless pleasantry was interpreted to be spoken in derision of Edward's assumed title; and he was condemned and executed for the offence.<sup>1</sup> Such an act of tyranny was a proper prelude to the events which ensued. The scaffold, as well as the field, incessantly streamed with the noblest blood of England, spilt in the quarrel between the two contending families, whose animosity was now become implacable. The people, divided in their affections, took different symbols of party: the partisans of the house of Lancaster chose the red rose, as their mark of distinction; those of York were denominated from the white; and these civil wars were thus known, over Europe, by the name of the quarrel between the two roses.

The license, in which queen Margaret had been obliged to indulge her troops, infused great terror and aversion into the city of London, and all the southern parts of the kingdom; and as she there expected an obstinate resistance, she had prudently retired northwards, among her own partisans. The same license, joined to the zeal of faction, soon brought great multitudes to her standard; and she was able, in a few days, to assemble an army, sixty thousand strong, in Yorkshire. The king and the earl of War-

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<sup>1</sup> Habington in Kennet, p. 431. Grafton, p. 791.

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wick hastened, with an army of forty thousand men, to check her progress; and when they reached Pomfret, they despatched a body of troops under the command of lord Fitzwalter, to secure the passage of Ferrybridge, over the river Ayre, which lay between them and the enemy. Fitzwalter took possession of the post assigned him; but was not able to maintain it against lord Clifford, who attacked him with superior numbers. The Yorkists were chased back with great slaughter; and lord Fitzwalter himself was slain in the action.<sup>1</sup> The earl of Warwick, dreading the consequences of this disaster, at a time when a decisive action was every hour expected, immediately ordered his horse to be brought him, which he stabbed, before the whole army; and kissing the hilt of his sword, swore that he was determined to share the fate of the meanest soldier.<sup>2</sup> And, to show the greater security, a proclamation was, at the same time issued, giving to every one full liberty to retire; but menacing the severest punishment to those who should discover any symptoms of cowardice in the ensuing battle.<sup>3</sup> Lord Falconberg was sent to recover the post which had been lost: he passed the river, some miles above Ferrybridge, and, falling unexpectedly on lord Clifford, revenged the former disaster, by the defeat of the party, and the death of their leader.<sup>4</sup>

Battle of  
Touton,  
29th of  
March.

The hostile armies met at Touton; and a fierce and bloody battle ensued. While the Yorkists were advancing to the charge, there happened a great fall of snow, which, driving full in the faces of their enemies, blinded them; and this advantage was improved, by a stratagem of lord Falconberg's. That nobleman ordered some infantry to advance before the line, and, after having sent a volley of flight arrows, as they were called, amidst the enemy, immediately to retire. The Lancastrians, imagining that they were gotten within reach of the opposite army, discharged all their arrows, which thus fell short of the Yorkists.<sup>5</sup> After the quivers of the enemy were emptied, Edward advanced his line, and did execution, with impunity, on the dismayed Lancastrians: the bow, however, was soon laid aside, and the sword decided the combat, which ended in a total victory on the side of the Yorkists. Edward issued orders to give no quarter.<sup>6</sup> The routed army was pursued to Tadcaster, with great bloodshed and confusion; and, above thirty-six thousand men are computed to have fallen in the battle and pursuit:<sup>7</sup> among these were the earl of Westmoreland, and his brother, Sir John Nevil, the earl of Northumberland, the lords Dacres and Welles, and Sir Andrew Trollop.<sup>8</sup> The earl of Devonshire, who was now engaged in Henry's party, was brought a prisoner to Edward; and was, soon after, beheaded, by martial law, at York.

<sup>1</sup> W. Wyrcester, p. 489. <sup>2</sup> Hall, fol. 186. <sup>3</sup> Holingshed, p. 664. <sup>4</sup> Habington, p. 432. <sup>5</sup> Holingshed, p. 664. <sup>6</sup> Hist. Croyl. contin. p. 532. <sup>7</sup> Hall, fol. 186. <sup>8</sup> Habington, p. 432. <sup>9</sup> Holingshed, p. 665. Grafton, p. 656. Hist. Croyl. contin. p. 533. <sup>10</sup> Hall, fol. 187. Habington, p. 433.



His head was fixed on a pole, erected over a gate of that city; and the head of duke Richard, and that of the earl of Salisbury, were taken down, and buried with their bodies. Henry and Margaret had remained at York, during the action; but, learning the defeat of their army, and being sensible that no place in England could now afford them shelter, they fled, with great precipitation, into Scotland. They were accompanied by the duke of Exeter, who, though he had married Edward's sister, had taken part with the Lancastrians, and by Henry, duke of Somerset, who had commanded in the unfortunate battle of Tooton, and who was the son of that nobleman, killed in the first battle of St. Albans.

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Notwithstanding the great animosity which prevailed between the kingdoms, Scotland had never exerted itself with vigour, to take advantage, either of the wars which England carried on with France, or of the civil commotions which arose between the contending families. James I. more laudably employed, in civilizing his subjects, and taming them to the salutary yoke of law and justice, avoided all hostilities with foreign nations; and though he seemed interested to maintain a balance between France and England, he gave no farther assistance to the former kingdom, in its greatest distresses, than permitting, and perhaps encouraging, his subjects to enlist in the French service. After the murder of that excellent prince, the minority of his son and successor, James II. and the distractions incident to it, retained the Scots in the same state of neutrality; and the superiority, visibly acquired by France, rendered it then unnecessary for her ally to interpose in her defence. But, when the quarrel commenced between the houses of York and Lancaster, and became absolutely incurable, but by the total extinction of one party; James, who had now risen to man's estate, was tempted to seize the opportunity, and he endeavoured to recover those places which the English had formerly conquered from his ancestors. He had laid siege to the castle of Roxborough, in 1460, and had provided himself with a small train of artillery, for that enterprise: but his cannon were so ill framed, that one of them burst, as he was firing it, and put an end to his life, in the flower of his age. His son and successor, James III. was also a minor, on his accession: the usual distractions ensued in the government: the queen dowager, Anne, of Gueldres, aspired to the regency: the family of Douglas opposed her pretensions: and queen Margaret, when she fled into Scotland, found there a people little less divided by faction, than those by whom she had been expelled. Though she pleaded the connexions between the royal family of Scotland, and the house of Lancaster, by the young king's grandmother, a daughter of the earl of Somerset, she could engage the Scottish council to go no farther than to express their good wishes in her favour: but, on her offering to deliver to them, immediately, the important fortress of Berwick, and to contract her son in marriage, with a sister of king James, she found a better reception; and the Scots promised the assistance of their arms to

Henry es-  
capes into  
Scotland.

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4th Nov.  
A parlia-  
ment.

reinstate her family upon the throne<sup>1</sup> But as the danger from that quarter seemed not very urgent to Edward, he did not pursue the fugitive king and queen into their retreat; but returned to London, where a parliament was summoned for settling the government.

On the meeting of this assembly, Edward found the good effects of his vigorous measure in assuming the crown, as well as of his victory at Tooton, by which he had secured it: the parliament no longer hesitated between the two families, or proposed any of those ambiguous decisions, which could only serve to perpetuate and inflame the animosities of party. They recognised the title of Edward, by hereditary descent, through the family of Mortimer; and declared that he was king, by right, from the death of his father, who had, also, the same lawful title; and that he was in possession of the crown from the day that he assumed the government, tendered to him by the acclamations of the people.<sup>2</sup> They expressed their abhorrence of the usurpation and intrusion of the house of Lancaster, particularly that of the earl of Derby, otherwise called Henry IV. which, they said, had been attended with every kind of disorder, the murder of the sovereign, and the oppression of the subject. They annulled every grant which had passed in those reigns; they reinstated the king in all the possessions which had belonged to the crown, at the pretended deposition of Richard II. and though they confirmed judicial deeds, and the decrees of inferior courts, they reversed all attainders, passed in any pretended parliament; particularly the attainder of the earl of Cambridge, the king's grandfather; as well as that of the earls of Salisbury and Gloucester, and of lord Lumley, who had been forfeited for adhering to Richard II.<sup>3</sup>

Many of these votes were the result of the usual violence of party; the common sense of mankind, in more peaceable times, repealed them: and the statutes of the house of Lancaster, being the deeds of an established government, and enacted by princes long possessed of authority, have always been held as valid and obligatory. The parliament, however, in subverting such deep foundations, had still the pretence of replacing the government on its ancient and natural basis: but, in their subsequent measures, they were more guided by revenge, at least by the views of convenience, than by the maxims of equity and justice. They passed an act of forfeiture and attainder against Henry VI. and queen Margaret, and their infant son, prince Edward: the same act was extended to the dukes of Somerset and Exeter; to the earls of Northumberland, Devonshire, Pembroke, Wilts; to the vicount Beaumont; the lords, Roos, Nevil, Clifford, Welles, Dacre, Gray, of Rugemont, Hungerford; to Alexander Hedie, Nicholas Latimer. Edmond Mountfort, John Heron, and many other persons of distinction.<sup>4</sup> The parliament vested the estates of all these attainted persons in the crown; though their sole crime

<sup>1</sup> Hall, fol. 137. Habington, p. 434. <sup>2</sup> Cotton, p. 670. <sup>3</sup> Cotton, p. 672. Statutes at large, 1 Edw. IV. cap. 1. <sup>4</sup> Cotton, p. 670. W. Wyrcester, p. 490.

was, the adhering to a prince, whom every individual of the parliament had long recognised, and whom that very king himself, who was now seated on the throne, had acknowledged and obeyed as his lawful sovereign.

The necessity of supporting the government established, will more fully justify some other acts of violence; though the method of conducting them may still appear exceptionable. John, earl of Oxford, and his son, Aubrey de Vere, were detected in corresponding with Margaret, were tried by martial law, before the constable, were condemned and executed.<sup>1</sup> Sir William Tyrrel, Sir Thomas Tudenham, and John Montgomery, were convicted in the same arbitrary court, were executed, and their estates forfeited. This introduction of martial law into civil government, was a high strain of prerogative, which, were it not for the violence of the times, would probably have appeared exceptionable to a nation, so jealous of their liberties, as the English were now become.\* It was impossible but such a great and sudden revolution must leave the roots of discontent and dissatisfaction in the subject, which would require great art, or, in lieu of it, great violence, to extirpate them. The latter was more suitable to the genius of the nation, in that uncultivated age.

But the new establishment still seemed precarious and uncertain; not only from the domestic discontents of the people, but from the efforts of foreign powers. Lewis, the eleventh of the name, had succeeded to his father, Charles, in 1460; and was led, from the obvious motives of national interest, to feed the flames of civil discord among such dangerous neighbours, by giving support to the weaker party. But the intriguing and politic genius of this prince, was here checked by itself: having attempted to subdue the independent spirit of his own vassals, he had excited such an opposition at home, as prevented him from making all the advantage which the opportunity afforded, of the dissensions among the English. He sent, however, a small body to Henry's assistance, under Varenne, seneschal of Normandy,<sup>2</sup> who landed in Northumberland, and got possession of the castle of Alnwick: but as the indefatigable Margaret went, in person, to France, where she solicited larger supplies, and promised Lewis to deliver up Calais, if her family should, by his means, be restored to the throne of England, he was induced to send along with her a body of two thousand men at arms, which enabled her to take the field, and to make an inroad into England. Though reinforced by a numerous train of adventurers from Scotland, and by many partisans of the family of Lancaster, she received a check at Hedgley-more, from lord Montacute, or Montague, 25th April. brother to the earl of Warwick, and warden of the cast marches, between Scotland and England. Montague was so encouraged

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<sup>1</sup> W. de Wyrester, p. 492. Hall, fol. 189. Grafton, p. 658. Fabian, fol. 215. *Fragm. ad finem T. Sprotti.* \* See note [H] at the end of the volume.

<sup>2</sup> Monstrelet, vol. viii. p. 95.

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Hexham.  
15th May.

with this success, that, while a numerous reinforcement was on their march to join him, by orders from Edward, he yet ventured, with his own troops alone, to attack the Lancastrians at Hexham; and he obtained a complete victory over them. The duke of Somerset, the lords Roos and Hungerford, were taken in the pursuit, and immediately beheaded, by martial law, at Hexham. Summary justice was, in like manner, executed at Newcastle, on Sir Humphrey Nevil, and several other gentlemen. All those who were spared in the field, suffered on the scaffold; and the utter extermination of their adversaries was now become the plain object of the York party; a conduct which received but too plausible an apology from the preceding practice of the Lancastrians.

The fate of the unfortunate royal family, after this defeat, was singular. Margaret, flying, with her son, into a forest, where she endeavoured to conceal herself, was beset, during the darkness of the night, by robbers, who, either ignorant, or regardless of her quality, despoiled her of her rings and jewels, and treated her with the utmost indignity. The partition of this rich booty raised a quarrel among them; and while their attention was thus engaged, she took an opportunity of making her escape, with her son, into the thickest of the forest, where she wandered for some time, overspent with hunger and fatigue, and sunk with terror and affliction. While in this wretched condition, she saw a robber approach, with his naked sword: and, finding that she had no means of escape, she suddenly embraced the resolution of trusting entirely for protection to his faith and generosity. She advanced towards him: and presenting to him the young prince, called out to him, *Here my friend, I commit to your care the safety of your king's son.* The man, whose humanity and generous spirit had been obscured, not entirely lost, by his vicious course of life, was struck with the singularity of the event, was charmed with the confidence reposed in him; and vowed, not only to abstain from all injury against the princess, but to devote himself entirely to her service.<sup>1</sup> By his means, she dwelt some time concealed in the forest, and was, at last, conducted to the sea coast, whence she made her escape into Flanders. She passed thence into her father's court, where she lived several years in privacy and retirement. Her husband was not so fortunate or so dexterous in finding the means of escape. Some of his friends took him under their protection, and conveyed him into Lancashire; where he remained concealed during a twelvemonth; but, he was, at last, detected, delivered up to Edward, and thrown into the Tower.<sup>2</sup> The safety of his person was owing less to the generosity of his enemies, than to the contempt which they had entertained of his courage and his understanding.

The imprisonment of Henry, the expulsion of Margaret, the execution and confiscation of all the most eminent Lancastrians,

<sup>1</sup> Monstrelet, vol. iii. p. 96.    <sup>2</sup> Hall, fol. 191.    Fragm. ad finem Sprotti.



seemed to give full security to Edward's government: whose title, by blood, being now recognised by parliament, and universally submitted to by the people, was no longer in danger of being impeached by any antagonist. In this prosperous situation, the king delivered himself up, without control, to those pleasures which his youth, his high fortune, and his natural temper invited him to enjoy; and the cares of royalty were less attended to, than the dissipation of amusement, or the allurements of passion. The cruel and unrelenting spirit of Edward, though inured to the ferocity of civil wars, was, at the same time, extremely devoted to the softer passions, which, without mitigating his severe temper, maintained a great influence over him, and shared his attachment with the pursuits of ambition, and the thirst of military glory. During the present interval of peace, he lived in the most familiar and sociable manner with his subjects,<sup>1</sup> particularly with the Londoners, and the beauty of his person, as well as the gallantry of his address, which, even unassisted by his royal dignity, would have rendered him acceptable to the fair, facilitated all his applications for their favour. This easy and pleasurable course of life augmented, every day, his popularity among all ranks of men: he was the peculiar favourite of the young and gay of both sexes. The disposition of the English, little addicted to jealousy, kept them from taking umbrage at these liberties: and his indulgence in amusements, while it gratified his inclination, was thus become, without design, a means of supporting and securing his government. But, as it is difficult to confine the ruling passion within strict rules of prudence, the amorous temper of Edward led him into a snare, which proved fatal to his repose, and to the stability of his throne.

Jaqueline, of Luxembourg, dutchess of Bedford, had, after her husband's death, so far sacrificed her ambition to love, that she espoused, in second marriage, Sir Richard Woodeville, a private gentleman, to whom she bore several children: and, among the rest, Elizabeth, who was remarkable for the grace and beauty of her person, as well as for other amiable accomplishments. This young lady had married Sir John Gray, of Groby, by whom she had children: and her husband being slain, in the second battle of St. Albans, fighting on the side of Lancaster, and his estate being, for that reason, confiscated, his widow retired, to live with her father, at his seat of Grafton, in Northamptonshire. The king came, accidentally, to the house, after a hunting party, in order to pay a visit to the dutchess of Bedford; and, as the occasion seemed favourable for obtaining some grace from this gallant monarch, the young widow flung herself at his feet; and, with many tears, entreated him to take pity on her impoverished and distressed children. The sight of so much beauty, in affliction, strongly affected the amorous Edward; love stole, insensibly, into his heart, under the guise of compassion; and her sorrows, so

King's  
marriage  
with lady  
Elizabeth  
Gray.

<sup>1</sup> Polyd. Virg. p. 513. Biondi.

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becoming a virtuous matron, made his esteem and regard quickly correspond to his affection. He raised her from the ground, with assurances of favour; he found his passion increase, every moment, by the conversation of the amiable object; and he was soon reduced, in his turn, to the posture and style of a suppliant, at the feet of Elizabeth. But the lady, either averse to dishonourable love, from a sense of duty; or perceiving that the impression which she had made was so deep, as to give her hopes of obtaining the highest elevation, obstinately refused to gratify his passion; and all the endearments, caresses, and importunities of the young and amiable Edward, proved fruitless against her rigid and inflexible virtue. His passion, irritated by opposition, and increased by his veneration for such honourable sentiments, carried him, at last, beyond all bounds of reason; and he offered to share his throne, as well as his heart, with the woman, whose beauty of person, and dignity of character, seemed so well to entitle her to both. The marriage was privately celebrated, at Grafton.<sup>1</sup> The secret was carefully kept, for some time: no one suspected that so libertine a prince could sacrifice so much to a romantic passion: and there were, in particular, strong reasons, which, at that time, rendered this step to the highest degree dangerous and imprudent.

The king, desirous to secure his throne, as well by the prospect of issue, as by foreign alliances, had, a little before, determined to make application to some neighbouring princess: and he had cast his eye on Bona, of Savoy, sister of the queen of France, who he hoped would, by her marriage, insure him the friendship of that power, which was alone both able and inclined to give support and assistance to his rival. To render the negotiation more successful, the earl of Warwick had been despatched to Paris, where the princess then resided; he had demanded Bona, in marriage, for the king; his proposals had been accepted; the treaty was fully concluded; and nothing remained but the ratification of the terms agreed on, and the bringing over the princess to England.<sup>2</sup> But when the secret of Edward's marriage broke out, the haughty earl, deeming himself affronted, both by being employed in this fruitless negotiation, and by being kept a stranger to the king's intentions, who had owed every thing to his friendship, immediately returned to England, inflamed with rage and indignation. The influence of passion over so young a man as Edward, might have served as an excuse for his imprudent conduct, had he deigned to acknowledge his error, or had pleaded his weakness as an apology: but his faulty shame, or pride, prevented him from so much as mentioning the matter to Warwick; and that nobleman was allowed to depart the court full of the same ill humour and discontent which he brought to it.

Warwick  
disgusted.

<sup>1</sup> Hall, fol. 293. Fabian, fol. 216. <sup>2</sup> Hall, fol. 193. Habington, p. 457. Holingshed, p. 667. Grafton, p. 665. Polyd. Virg. p. 513.

Every incident now tended to widen the breach between the king and this powerful subject. The queen, who lost not her influence by marriage, was equally solicitous to draw every grace and favour to her own friends and kindred, and to exclude those of the earl, whom she regarded as her mortal enemy. Her father was created earl of Rivers: he was made treasurer, in the room of lord Mountjoy:<sup>1</sup> he was invested in the office of constable, for life: and his son received the survivance of that high dignity.<sup>2</sup> The same young nobleman was married to the only daughter of lord Scales, enjoyed the great estate of that family, and had the title of Scales conferred upon him. Catherine, the queen's sister, was married to the young duke of Buckingham, who was a ward of the crown:<sup>3</sup> Mary, another of her sisters, espoused William Herbert, created earl of Huntingdon: Ann, a third sister, was given in marriage to the son and heir of Gray, lord Ruthyn, created earl of Kent.<sup>4</sup> The daughter and heir of the duke of Exeter, who was also the king's niece, was contracted to Sir Thomas Gray, one of the queen's sons, by her former husband; and as lord Montague was treating of a marriage between his son and this lady, the preference given to young Gray was deemed an injury and affront to the whole family of Nevil.

The earl of Warwick could not suffer, with patience, the least diminution of that credit, which he had long enjoyed, and which he thought he had merited, by such important service. Though he had received so many grants from the crown, that the revenue arising from them amounted, besides his patrimonial estate, to eight thousand crowns a year, according to the computation of Philip de Comines,<sup>5</sup> his ambitious spirit was still dissatisfied, so long as he saw others surpass him in authority and influence with the king.<sup>6</sup> Edward, also jealous of that power which had supported him, and which he himself had contributed still higher to exalt, was well pleased to raise up rivals in credit to the earl of Warwick; and he justified, by this political view, his extreme partiality to the queen's kindred. But the nobility of England, envying the sudden growth of the Woodvilles,<sup>7</sup> were more inclined to take part with Warwick's discontent, to whose grandeur they were already accustomed, and who had reconciled them to his superiority, by his gracious and popular manners. And as Edward obtained from parliament a general resumption of all grants which he had made since his accession, and which had extremely impoverished the crown,<sup>8</sup> this act, though it passed with some exceptions, particularly one in favour of the earl of Warwick, gave a general alarm to the nobility, and disgusted many, even zealous partisans, of the family of York.

But the most considerable associate that Warwick acquired to

<sup>1</sup> W. Wyrcester, p. 506. <sup>2</sup> Rymer, vol. xi. p. 581. <sup>3</sup> W. Wyrcester, p. 505. <sup>4</sup> Ibid p. 506. <sup>5</sup> Liv. iii. chap. 4. <sup>6</sup> Polyd. Virg. p. 514. <sup>7</sup> Hist. Croyl. cont. p. 539. <sup>8</sup> W. Wyrcester, p. 508.

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his party, was George, duke of Clarence, the king's second brother. This prince deemed himself no less injured than the other grandees, by the uncontrolled influence of the queen and her relations; and, as his fortunes were still left on a precarious footing, while theirs was fully established, this neglect, joined to his unquiet and restless spirit, inclined him to give countenance to all the malcontents.<sup>1</sup> The favourable opportunity of gaining him was espied by the earl of Warwick, who offered him, in marriage, his elder daughter, and coheir of his immense fortunes; a settlement, which, as it was superior to any that the king himself could confer upon him, immediately attached him to the party of the earl.<sup>2</sup> Thus an extensive and dangerous combination was insensibly formed against Edward and his ministry. Though the immediate object of the malcontents was not to overturn the throne, it was difficult to foresee the extremities to which they might be carried: and as opposition to government was usually, in those ages, prosecuted by force of arms, civil convulsions and disorders were likely to be soon the result of these intrigues and confederacies.

Alliance  
with the  
duke of  
Burgun-  
dy.

While this cloud was gathering at home, Edward carried his views abroad, and endeavoured to secure himself against his factious nobility, by entering into foreign alliances. The dark and dangerous ambition of Lewis XI. the more it was known, the greater alarm it excited among his neighbours and vassals; and, as it was supported by great abilities, and unrestrained by any principle of faith or humanity, they found no security to themselves, but by a jealous combination against him. Philip, duke of Burgundy, was now dead: his rich and extensive dominions were devolved to Charles, his only son, whose martial disposition acquired him the surname of *Bold*, and whose ambition, more outrageous than that of Lewis, but seconded by less power and policy, was regarded with a more favourable eye, by the other potentates of Europe. The opposition of interests, and still more, a natural antipathy of character, produced a declared animosity between these bad princes; and Edward was thus secure of the sincere attachment of either of them, for whom he should choose to declare himself. The duke of Burgundy, being descended, by his mother, a daughter of Portugal, from John of Gaunt, was naturally inclined to favour the house of Lancaster:<sup>3</sup> but this consideration was easily overbalanced by political motives; and Charles, perceiving the interests of that house to be extremely decayed, in England, sent over his natural brother, commonly called the Bastard of Burgundy, to carry, in his name, proposals of marriage to Margaret, the king's sister. The alliance of Burgundy was more popular among the English, than that of France; the commercial

<sup>1</sup> Grafton, p. 673. <sup>2</sup> W. Wyrcester, p. 511. Hall, fol. 200. Habington, p. 439. Holingshed, p. 671. Polyd. Virg. p. 515. <sup>3</sup> Comines, liv. iii. chap. 4, 6.



interests of the two nations invited the princes to a close union; the common jealousy of Lewis was a natural cement between them; and Edward, pleased with strengthening himself by so potent a confederate, soon concluded the alliance, and bestowed his sister upon Charles.<sup>1</sup> A league, which Edward, at the same time, concluded with the duke of Brittany, seemed both to increase his security, and to open to him the prospect of rivalling his predecessors in those foreign conquests, which, however shortlived and unprofitable, had rendered their reigns so popular and illustrious.<sup>2</sup>

But whatever ambitious schemes the king might have built on these alliances, they were soon frustrated by intestine commotions, which engrossed all his attention. These disorders probably arose, not immediately from the intrigues of the earl of Warwick, but from accident, aided by the turbulent spirit of the age, by the general humour of discontent which that popular nobleman had instilled into the nation, and, perhaps, by some remains of attachment to the house of Lancaster. The hospital of St. Leonard's, near York, had received, from an ancient grant of king Athelstan, a right of levying a thrave of corn upon every ploughland in the county; and, as these charitable establishments are liable to abuse, the country people complained, that the revenue of the hospital was no longer expended for the relief of the poor, but was secreted by the managers, and employed to their private purposes. After long repining at the contribution, they refused payment. Ecclesiastical and civil censures were issued against them: their goods were distrained, and their persons thrown into jail: till, as their ill humour daily increased, they rose to arms; fell upon the officers of the hospital, whom they put to the sword; and proceeded in a body, fifteen thousand strong, to the gates of York. Lord Montague, who commanded in those parts, opposed himself to their progress; and having been so fortunate, in a skirmish, as to seize Robert Hulderne, their leader, he ordered him immediately to be led to execution, according to the practice of the times. The rebels, however, still continued in arms; and being soon headed by men of greater distinction, Sir Henry Nevil, son of lord Latimer, and Sir John Coniers, they advanced southwards, and began to appear formidable to government. Herbert, earl of Pembroke, who had received that title on the forfeiture of Jasper Tudor, was ordered, by Edward, to march against them, at the head of a body of Welchmen; and he was joined by five thousand archers, under the command of Stafford, earl of Devonshire, who had succeeded in that title to the family of Courtney, which had, also, been attained. But a trivial difference about quarters having begotten an animosity between these two noblemen, the earl of Devonshire retired, with his archers, and left Pembroke alone to encounter the rebels. The two armies

Insurrec-  
tion in  
Yorkshire.

<sup>1</sup> Hall, fol. 169, 197. <sup>2</sup> W. Wyrcester, p. 5. Parliament. Hist. vol. ii. p. 332.

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Battle of  
Banbury.  
26th July.

approached each other near Banbury; and Pembroke, having prevailed in a skirmish, and having taken Sir Henry Nevil prisoner, ordered him immediately to be put to death, without any form of process. This execution enraged, without terrifying the rebels: they attacked the Welch army, routed them, put them to the sword, without mercy; and, having seized Pembroke, they took immediate revenge upon him for the death of their leader. The king, imputing this misfortune to the earl of Devonshire, who had deserted Pembroke, ordered him to be executed in a like summary manner. But these speedy executions, or rather open murders, did not stop there; the northern rebels sending a party to Grafton, seized the earl of Rivers, and his son John, men who had become obnoxious by their near relation to the king, and his partiality towards them: and they were immediately executed, by orders from Sir John Coniers.<sup>1</sup>

There is no part of English history, since the Conquest, so obscure, so uncertain, so little authentic, or consistent, as that of the wars between the two Roses: historians differ about many material circumstances: some events of the utmost consequence, in which they almost all agree, are incredible, and contradicted by records;\* and it remarkable, that this profound darkness falls upon us, just on the eve of the restoration of letters, and when the art of printing was already known in Europe. All we can distinguish, with certainty, through the deep cloud which covers that period, is a scene of horror and bloodshed, savage manners, arbitrary executions, and treacherous, dishonourable conduct in all parties. There is no possibility, for instance, of accounting for the views and intentions of the earl of Warwick, at this time. It is agreed that he resided, together with his son-in-law, the duke of Clarence, in his government of Calais, during the commencement of this rebellion; and that his brother, Montague, acted with vigour against the northern rebels. We may thence presume, that the insurrection had not proceeded from the secret counsels and instigation of Warwick; though the murder committed by the rebels on the earl of Rivers, his capital enemy, forms, on the other hand, a violent presumption against him. He and Clarence came over to England, offered their service to Edward, were received without any suspicion, were entrusted by him in the highest commands,<sup>2</sup> and still persevered in their fidelity. Soon after we find the rebels quieted and dispersed, by a general pardon, granted by Edward, from the advice of the earl of Warwick: but why so courageous a prince, if secure of Warwick's fidelity, should have granted a general pardon to men, who had been guilty of such violent and personal outrages against him, is not intelligible; nor why that nobleman, if unfaithful, should have endeavoured to appease a rebellion, of which he was able to

<sup>1</sup> Fabian, fol. 217. \* See note [I] at the end of the volume. <sup>2</sup> Rymer, vol. xi. p. 647, 649, 650.

make such advantages. But it appears that, after this insurrection, there was an interval of peace, during which the king loaded the family of Nevil with honours and favours of the highest nature: he made lord Montague a marquis by the same name: he created his son, George, duke of Bedford:<sup>1</sup> he publicly declared his intention of marrying that young nobleman to his eldest daughter, Elizabeth, who, as he had yet no sons, was presumptive heir of the crown: yet we find that, soon after, being invited to a feast, by the archbishop of York, a younger brother of Warwick and Montague, he entertained a sudden suspicion that they intended to seize his person, or to murder him: and he abruptly left the entertainment.<sup>2</sup>

Soon after, there broke out another rebellion, which is as unaccountable as all the preceding events; chiefly because no sufficient reason is assigned for it, and because, so far as it appears, the family of Nevil had no hand in exciting and fomenting it. It arose in Lincolnshire, and was headed by Sir Robert Welles, son to the lord of that name. The army of the rebels amounted to thirty thousand men; but lord Welles himself, far from giving countenance to them, fled into a sanctuary, in order to secure his person against the king's anger or suspicions. He was allured from this retreat by a promise of safety; and was, soon after, notwithstanding this assurance, beheaded along with Sir Thomas Dymoc, by orders from Edward.<sup>3</sup> The king fought a battle with the rebels, defeated them, took Sir Robert Welles and Sir Thomas Launde prisoners, and ordered them immediately to be beheaded.

Edward, during these transactions, had entertained so little jealousy of the earl of Warwick, or duke of Clarence, that he sent them with commissions of array to levy forces against the rebels:<sup>4</sup> but these malcontents, as soon as they left the court, raised troops in their own name, issued declarations against the government, and complained of grievances, oppressions, and bad ministers. The unexpected defeat of Welles disconcerted all their measures; and they retired northwards, into Lancashire, where they expected to be joined by lord Stanley, who had married the earl of Warwick's sister. But as that nobleman refused all concurrence with them, and as lord Montague also remained quiet in Yorkshire, they were obliged to disband their army, and to fly into Devonshire, where they embarked and made sail towards Calais.<sup>5</sup>

Warwick  
and Clarence  
banished.

The deputy governor, whom Warwick had left at Calais, was one Vaucler, a Gascon, who seeing the earl return in this miserable condition, refused him admittance; and would not so much

<sup>1</sup> Cotton, p. 702. <sup>2</sup> Fragm. Edw. IV. ad fin. Sprotti. <sup>3</sup> Hall, fol. 204. Fabian, fol. 218. Habington, p. 442. Holingshed, p. 674. <sup>4</sup> Rymer, vol. xi. p. 652. <sup>5</sup> The king offered, by proclamation, a reward of 1000 pounds, or 100 pounds a year, in land, to any that would seize them. Whence we may learn, that land was, at that time, sold for about ten years' purchase. See Rymer, vol. xi. p. 654.

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as permit the dutchess of Clarence to land; though a few days before she had been delivered, on shipboard, of a son, and was, at that time, extremely disordered by sickness. With difficulty he would allow a few flagons of wine to be carried to the ship, for the use of the ladies: but as he was a man of sagacity, and well acquainted with the revolutions to which England was subject, he secretly apologized to Warwick for this appearance of infidelity, and represented it as proceeding entirely from zeal for his service. He said, that the fortress was ill supplied with provisions; that he could not depend on the attachment of the garrison; that the inhabitants, who lived by the English commerce, would certainly declare for the established government; that the place was, at present, unable to resist the power of England, on the one hand, and that of the duke of Burgundy, on the other; and that, by seeming to declare for Edward, he would acquire the confidence of that prince, and still keep it in his power, when it should become safe and prudent to restore Calais to its ancient master.<sup>1</sup> It is uncertain whether Warwick was satisfied with this apology, or suspected a double infidelity in Vaucier; but he feigned to be entirely convinced by him; and having seized some Flemish vessels, which he found lying off Calais, he immediately made sail towards France.

The king of France, uneasy at the close conjunction between Edward, and the duke of Burgundy, received, with the greatest demonstrations of regard, the unfortunate Warwick,<sup>2</sup> with whom he had formerly maintained a secret correspondence, and whom he hoped still to make his instrument in overturning the government of England, and re-establishing the house of Lancaster. No animosity was ever greater than that which had long prevailed between that house and the earl of Warwick. His father had been executed by orders from Margaret: he himself had twice reduced Henry to captivity, had banished the queen, had put to death all their most zealous partisans, either in the field or on the scaffold, and had occasioned innumerable ills to that unhappy family. For this reason, believing that such inveterate rancour could never admit of any cordial reconciliation, he had not mentioned Henry's name when he took arms against Edward; and he rather endeavoured to prevail, by means of his own adherents, than revive a party which he sincerely hated. But his present distresses, and the entreaties of Lewis, made him hearken to terms of accommodation; and Margaret being sent for from Angers, where she then resided, an agreement was from common interest soon concluded between them. It was stipulated that Warwick should espouse the cause of Henry, and endeavour to restore him to liberty, and to re-establish him on the throne; that the administration of the government, during the minority of young Edward, Henry's son, should be

<sup>1</sup> Comines, liv. iii. chap. 4. Hall, fol. 205. <sup>2</sup> Polyd. Virg. p. 519.



entrusted conjointly to the earl of Warwick and the duke of Clarence; and that prince Edward should marry the lady Anne, second daughter of that nobleman; and that the crown, in case of the failure of male issue in that prince, should descend to the duke of Clarence, to the entire exclusion of king Edward and his posterity. Never was confederacy, on all sides, less natural, or more evidently the work of necessity: but Warwick hoped that all former passions of the Lancastrians might be lost in present political views; and that, at worst, the independent power of his family, and the affections of the people, would suffice to give him security, and enable him to exact the full performance of all the conditions agreed on. The marriage of prince Edward with the lady Anne, was immediately celebrated in France. Edward foresaw that it would be easy to dissolve an alliance composed of such discordant parts. For this purpose, he sent over a lady of great sagacity and address, who belonged to the train of the dutchess of Clarence, and who, under colour of attending her mistress, was empowered to negotiate with the duke, and to renew the connexions of that prince with his own family.<sup>1</sup> She represented to Clarence, that he had unwarily, to his own ruin, become the instrument of Warwick's vengeance, and had thrown himself entirely in the power of his most inveterate enemies; that the mortal injuries which the one royal family had suffered from the other, were now past all forgiveness, and no imaginary union of interests could ever suffice to obliterate them; that even if the leaders were willing to forget past offences, the animosity of their adherents would prevent a sincere coalition of parties, and would, in spite of all temporary and verbal agreements, preserve an eternal opposition of measures between them; and that a prince, who deserted his own kindred, and joined the murderers of his father, left himself single, without friends, without protection, and would not, when misfortunes inevitably fell upon him, be so much as entitled to any pity or regard from the rest of mankind. Clarence was only one-and-twenty years of age, and seems to have possessed but a slender capacity, yet could he easily see the force of these reasons; and upon the promise of forgiveness from his brother, he secretly engaged, on a favourable opportunity, to desert the earl of Warwick, and abandon the Lancastrian party.

During this negotiation, Warwick was secretly carrying on a correspondence of the same nature, with his brother, the marquis of Montague, who was entirely trusted by Edward; and like motives produced a like resolution in that nobleman. The marquis, also, that he might render the projected blow the more deadly and incurable, resolved, on his side, to watch a favourable opportunity for committing *his* perfidy, and still to maintain the appearance of being a zealous adherent of the house of York.

<sup>1</sup> Comines, liv. iii. chap. 5. Hall, fol. 207. Holingshed, p. 675.

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After these mutual snares were thus carefully laid, the decision of the quarrel advanced apace. Lewis prepared a fleet to escort the earl of Warwick, and granted him a supply of men and money.<sup>1</sup> The duke of Burgundy, on the other hand, enraged at that nobleman for his seizure of the Flemish vessels, before Calais, and anxious to support the reigning family in England, with whom his own interests were now connected, fitted out a larger fleet, with which he guarded the channel; and he incessantly warned his brother-in-law of the imminent perils to which he was exposed. But Edward, though always brave, and often active, had little foresight or penetration. He was not sensible of his danger: he made no suitable preparations against the earl of Warwick;<sup>2</sup> he even said, that the duke might spare himself the trouble of guarding the seas, and that he wished for nothing more than to see Warwick set foot on English ground.<sup>3</sup> A vain confidence in his own prowess, joined to the immoderate love of pleasure, had made him incapable of all sound reason and reflection.

September.  
Warwick  
and Clarence re-  
turn.

The event soon happened, of which Edward seemed so desirous. A storm dispersed the Flemish navy, and left the sea open to Warwick.<sup>4</sup> That nobleman seized the opportunity, and setting sail, quickly landed at Dartmouth, with the duke of Clarence, the earls of Oxford and Pembroke, and a small body of troops; while the king was in the north, engaged in suppressing an insurrection which had been raised by lord Fitz-Hugh, brother-in-law to Warwick. The scene which ensues, resembles more the fiction of a poem or romance, than an event in true history. The prodigious popularity of Warwick,<sup>5</sup> the zeal of the Lancastrian party, the spirit of discontent with which many were infected, and the general instability of the English nation, occasioned by the late frequent revolutions, drew such multitudes to his standard, that in a very few days his army amounted to sixty thousand men, and was continually increasing. Edward hastened southwards to encounter him; and the two armies approached each other near Nottingham, where a decisive action was every hour expected. The rapidity of Warwick's progress had incapacitated the duke of Clarence from executing *his* plan of treachery; and the marquis of Montague had here an opportunity of striking the first blow. He communicated the design to his adherents, who promised him their concurrence: they took to arms in the night time, and hastened, with loud acclamations, to Edward's quarters: the king was alarmed at the noise, and started from bed, heard the cry of war usually employed by the Lancastrian party. Lord Hastings, his chamberlain, informed him of the danger, and urged him to make his escape by speedy flight, from an army where he had so many concealed enemies,

<sup>1</sup> Comines, liv. iii. chap. 4. Hall, fol. 287. <sup>2</sup> Grafton, p. 667. <sup>3</sup> Comines, liv. iii. chap. 5. Hall, fol. 208. <sup>4</sup> Comines, liv. iii. chap. 5. <sup>5</sup> Hall, fol. 205.

and where few seemed zealously attached to his service. He had just time to get on horseback, and to hurry, with a small retinue, to Lynne, in Norfolk, where he luckily found some ships ready, on board of which he instantly embarked.<sup>1</sup> And after this manner the earl of Warwick, in no longer space than eleven days after his first landing, was left entire master of the kingdom.

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But Edward's danger did not end with his embarkation. The Easterlings, or Hanse-Towns, were then at war both with France and England; and some ships of these people, hovering on the English coast, espied the king's vessels, and gave chase to them; nor was it without extreme difficulty that he made his escape into the port of Alcaer, in Holland. He had fled from England with such precipitation, that he had carried nothing of value along with him, and the only reward which he could bestow on the captain of the vessel that brought him over, was a robe, lined with sables; promising him an ample recompense, if fortune should ever become more propitious to him.<sup>2</sup>

It is not likely that Edward could be very fond of presenting himself, in this lamentable plight, before the duke of Burgundy; and that having so suddenly, after his mighty vaunts, lost all footing in his own kingdom, he could be insensible to the ridicule which must attend him in the eyes of that prince. The duke, on his part, was no less embarrassed how he should receive the dethroned monarch. As he had ever borne a greater affection to the house of Lancaster than to that of York, nothing but political views had engaged him to contract an alliance with the latter; and he foresaw that probably the revolution in England would now turn this alliance against him, and render the reigning family his implacable and jealous enemy. For this reason, when the first rumour of that event reached him, attended with the circumstance of Edward's death, he seemed rather pleased with the catastrophe; and it was no agreeable disappointment to find, that he must either undergo the burden of supporting an exiled prince, or the dishonour of abandoning so near a relation. He began already to say, that his connexions were with the kingdom of England, not with the king; and it was indifferent to him whether the name of Edward, or that of Henry, were employed in the articles of treaty. These sentiments were continually strengthened by the subsequent events. Vaucler, the deputy governor of Calais, though he had been confirmed in his command by Edward, and had even received a pension from the duke of Burgundy, on account of his fidelity to the crown, no sooner saw his old master, Warwick, reinstated in authority, than he declared for him, and with great demonstrations of zeal and attachment, put the whole garrison in his livery. And the intelligence which the duke received every day from England, seemed to promise an entire and full settlement in the family of Lancaster.

<sup>1</sup> Comines, liv. iii. chap. 5. Hall, fol. 208. <sup>2</sup> Comines, liv. iii. chap. 5.

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1470.  
Henry VI.  
restored.

Immediately after Edward's flight had left the kingdom at Warwick's disposal, that nobleman hastened to London; and taking Henry from his confinement in the Tower, into which he himself had been the chief cause of throwing him, he proclaimed him king with great solemnity. A parliament was summoned, in the name of that prince, to meet at Westminster; and as this assembly could pretend to no liberty, while surrounded by such enraged and insolent victors, governed by such an impetuous spirit as Warwick, their votes were entirely dictated by the ruling faction. The treaty with Margaret was here fully executed: Henry was recognised as lawful king; but his incapacity for government being avowed, the regency was entrusted to Warwick and Clarence, till the majority of prince Edward; and in default of that prince's issue, Clarence was declared successor to the crown. The usual business also of reversals went on without opposition: every statute made during the reign of Edward was repealed; that prince was declared to be an usurper; he and his adherents were attainted; and in particular Richard, duke of Gloucester, his younger brother: all the attainders of the Lancastrians, the dukes of Somerset and Exeter, the earls of Richmond, Pembroke, Oxford, and Ormond, were reversed; and every one was restored who had lost either honours or fortune by his former adherence to the cause of Henry.

The ruling party were more sparing in their executions than was usual after any revolutions during those violent times. The only victim of distinction was John Tibetot, earl of Worcester. This accomplished person, born in an age and nation where the nobility valued themselves on ignorance as their privilege, and left learning to monks and schoolmasters, for whom, indeed, the spurious erudition that prevailed was best fitted, had been struck with the first rays of true science, which began to penetrate from the south, and had been zealous, by his exhortation and example, to propagate the love of letters among his unpolished countrymen. It is pretended, that knowledge had not produced, on this nobleman himself, the effect which naturally attends it, of humanizing the temper and softening the heart;<sup>1</sup> and that he had enraged the Lancastrians against him, by the severities which he exercised upon them, during the prevalence of his own party. He endeavoured to conceal himself after the flight of Edward; but was caught, on the top of a tree, in the forest of Weybridge; was conducted to London, tried before the earl of Oxford, condemned, and executed. All the other considerable Yorkists either fled beyond sea, or took shelter in sanctuaries; where the ecclesiastical privileges afforded them protection. In London, alone, it is computed that no less than two thousand persons saved themselves in this manner;<sup>2</sup> and among the rest Edward's queen, who was there delivered of a son, called by his father's name.<sup>3</sup>

<sup>1</sup> Hall, fol. 210. Stowe, p. 422. <sup>2</sup> Comines, liv. iii. chap. 7. <sup>3</sup> Hall, fol. 210. Stowe, p. 423. Holingshed, p. 677. Grafton, p. 690.



Queen Margaret, the other rival queen, had not yet appeared in England but, on receiving intelligence of Warwick's success, was preparing, with prince Edward, for her journey. All the banished Lancastrians flocked to her; and, among the rest, the duke of Somerset, son of the duke beheaded after the battle of Hexham. This nobleman, who had long been regarded as the head of the party, had fled into the Low Countries, on the discomfiture of his friends; and, as he concealed his name and quality, he had there languished in extreme indigence. Philip de Comines tells us,<sup>1</sup> that he himself saw him, as well as the duke of Exeter, in a condition no better than that of a common beggar; till, being discovered by Philip, duke of Burgundy, they had small pensions allotted them, and were living in silence and obscurity, when the success of their party called them from their retreat. But both Somerset and Margaret were detained by contrary winds, from reaching England,<sup>2</sup> till a new revolution in the kingdom, no less sudden and surprising than the former, threw them into greater misery than that from which they had just emerged.

Though the duke of Burgundy, by neglecting Edward, and paying court to the established government, had endeavoured to conciliate the friendship of the Lancastrians, he found that he had not succeeded to his wish; and the connexions between the king of France and the earl of Warwick, still held him in great anxiety.<sup>3</sup> This nobleman too hastily regarding Charles as a determined enemy, had sent over to Calais a body of four thousand men, who made inroads into the Low Countries;<sup>4</sup> and the duke of Burgundy saw himself in danger of being overwhelmed by the united arms of England and of France. He resolved, therefore, to grant some assistance to his brother-in-law; but in such a covert manner, as should give the least offence possible to the English government. He equipped four large vessels in the name of some private merchants at Terveer, in Zealand; and causing fourteen ships to be secretly hired from the Easterlings, he delivered this small squadron to Edward, who, receiving also a sum of money from the duke, immediately set sail for England. No sooner was Charles informed of his departure, than he issued a proclamation, inhibiting all his subjects from giving him countenance or assistance;<sup>5</sup> an artifice which could not deceive the earl of Warwick, but which might serve as a decent pretence, if that nobleman were so disposed, for maintaining friendship with the duke of Burgundy.

Edward, impatient to take revenge on his enemies, and to recover his lost authority, made an attempt to land with his forces, which exceeded not two thousand men, on the coast of Norfolk; but being there repulsed, he sailed northwards, and disembarked at Ravenspur, in Yorkshire. Finding that the new magistrates, returns.

<sup>1</sup> Liv. iii. chap. 4. <sup>2</sup> Grafton, p. 692. Polyd. Virg. p. 522. <sup>3</sup> Hall, fol. 205. <sup>4</sup> Comines, liv. iii. chap. 6. <sup>5</sup> Ibid.

March 25.  
Edw. IV.

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who had been appointed by the earl of Warwick, kept the people every where from joining him, he pretended, and even made oath, that he came not to challenge the crown, but only the inheritance of the house of York, which, of right, belonged to him; and that he did not intend to disturb the peace of the kingdom. His partisans, every moment, flocked to his standard: he was admitted into the city of York: and he was soon in such a situation as gave him hopes of succeeding in all his claims and pretensions. The marquis of Montague commanded in the northern counties; but from some mysterious reasons, which, as well as many other important transactions in that age, no historian has cleared up, he totally neglected the beginnings of an insurrection, which he ought to have esteemed so formidable. Warwick assembled an army at Leicester, with an intention of meeting and of giving battle to the enemy; but Edward, by taking another road, passed him unmolested, and presented himself before the gates of London. Had he here been refused admittance, he was totally undone; but there were many reasons which inclined the citizens to favour him. His numerous friends, issuing from their sanctuaries, were active in his cause; many rich merchants, who had formerly lent him money, saw no other chance for their payment, but his restoration; the city dames, who had been liberal of their favours to him, and who still retained an affection for this young and gallant prince, swayed their husbands and friends in his favour;<sup>1</sup> and, above all, the archbishop of York, Warwick's brother, to whom the care of the city was committed, had secretly, from unknown reasons, entered into a correspondence with him; and he facilitated Edward's admission into London. The most likely cause which can be assigned, for all those multiplied infidelities, even in the family of Nevil itself, is the spirit of faction, which, when it becomes inveterate, it is very difficult for any man entirely to shake off. The persons who had long distinguished themselves in the York party, were unable to act with zeal and cordiality for the support of the Lancastrians; and they were inclined, by any prospect of favour or accommodation offered them by Edward, to return to their ancient connexions. However this may be, Edward's entrance into London made him master, not only of that rich and powerful city, but also of the person of Henry, who, destined to be the perpetual sport of fortune, thus fell again into the hands of his enemies.<sup>2</sup>

April 11th.

It appears not that Warwick, during his short administration, which had continued only six months, had been guilty of any unpopular act, or had anywise deserved to lose that general favour, with which he had so lately overwhelmed Edward. But this prince, who was formerly on the defensive, was now the aggressor; and having overcome the difficulties, which always

<sup>1</sup> Comines, liv. iii. chap. 7. <sup>2</sup> Grafton, p. 702.

attend the beginnings of an insurrection, possessed many advantages above his enemy: his partisans were actuated by that zeal and courage, which the notion of an attack inspires; his opponents were intimidated, for a like reason; every one, who had been disappointed in the hopes which he had entertained from Warwick's elevation, either became a cool friend, or an open enemy to that nobleman; and each malcontent, from whatever cause, proved an accession to Edward's army. The king, therefore, found himself in a condition to face the earl of Warwick; who, being reinforced by his son-in-law, the duke of Clarence, and his brother, the marquis of Montague, took post at Barnet, in the neighbourhood of London. The arrival of queen Margaret was every day expected, who would have drawn together all the genuine Lancastrians, and have brought a great accession to Warwick's forces; but this very consideration proved a motive to the earl, rather to hurry on a decisive action, than to share the victory with rivals and ancient enemies, who, he foresaw, would, in case of success, claim the chief merit in the enterprise.<sup>1</sup> But while his jealousy was all directed towards that side, he overlooked the dangerous infidelity of friends, who lay the nearest to his bosom. His brother, Montague, who had lately temporized, seems now to have remained sincerely attached to the interest of his family: but his son-in-law, though bound to him by every tie of honour and gratitude, though he shared the power of the regency, though he had been invested by Warwick in all the honours and patrimony of the house of York, resolved to fulfil the secret engagements which he had formerly taken with his brother, and to support the interests of his own family: he deserted to the king in the night time, and carried over a body of twelve thousand men along with him.<sup>2</sup> Warwick was now too far advanced to retreat: and, as he rejected with disdain all terms of peace offered him by Edward and Clarence, he was obliged to hazard a general engagement. The battle was fought with obstinacy, on both sides: the two armies, in imitation of their leaders, displayed uncommon valour; and the victory remained long undecided between them. But an accident threw the balance to the side of the Yorkists. Edward's cognizance was a sun; that of Warwick a star, with rays; and the mistiness of the morning rendering it difficult to distinguish them, the earl of Oxford, who fought on the side of the Lancastrians, was, by mistake, attacked by his friends, and chased off the field of battle.<sup>3</sup> Warwick, contrary to his more usual practice, engaged that day on foot, resolving to show his army that he meant to share every fortune with them; and he was slain in the thickest of the engagement: his brother underwent the same fate: and, as Edward had issued orders not to give any quarter, a great and undistin-

April 14th.  
Battle of  
Barnet, &  
death of  
Warwick.

<sup>1</sup> Comines, liv. iii. chap. 7. <sup>2</sup> Grafton, p. 700. Comines, liv. iii. chap. 7. Leland's Collect. vol. ii. p. 505. <sup>3</sup> Habington, p. 449. <sup>4</sup> Comines, liv. iii. chap. 7.

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guished slaughter was made in the pursuit.<sup>1</sup> There fell about one thousand five hundred on the side of the victors.

The same day on which this decisive battle was fought,<sup>2</sup> queen Margaret and her son, now about eighteen years of age, and a young prince of great hopes, landed at Weymouth, supported by a small body of French forces. When this princess received intelligence of her husband's captivity, and of the defeat and death of the earl of Warwick, her courage, which had supported her under so many disastrous events, here quite left her; and she immediately foresaw all the dismal consequences of that calamity. At first she took sanctuary in the abbey of Beaulieu;<sup>3</sup> but, being encouraged by the appearance of Tudor, earl of Pembroke, and Courtney, earl of Devonshire; of the lords Wenloc, and St. John, with other men of rank, who exhorted her still to hope for success, she resumed her former spirit, and determined to defend to the utmost the ruins of her fallen fortunes. She advanced through the counties of Devon, Somerset, and Gloucester, increasing her army on each day's march; but was at last overtaken, by the rapid and expeditious Edward, at Tewkesbury, on the banks of the Severn. The Lancastrians were here totally defeated: the earl of Devonshire and lord Wenloc were killed in the field: the duke of Somerset, and about twenty other persons of distinction, having taken shelter in a church, were surrounded, dragged out, and immediately beheaded: about three thousand of their side fell in battle; and the army was entirely dispersed.

Queen Margaret and her son were taken prisoners, and brought to the king, who asked the prince, after an insulting manner, how he dared to invade his dominions? The young prince, more mindful of his high birth than of his present fortune, replied, that he came thither to claim his just inheritance. The ungenerous Edward, insensible to pity, struck him on the face with his gauntlet; and the dukes of Clarence and Gloucester, lord Hastings, and Sir Thomas Gray, taking the blow as a signal for farther violence, hurried the prince into the next apartment, and there despatched him with their daggers.<sup>4</sup> Margaret was thrown into the Tower: king Henry expired in that confinement, a few days after the battle of Tewkesbury; but whether he died a natural or violent death, is uncertain. It is pretended, and was generally believed, that the duke of Gloucester killed him with his own hands:<sup>5</sup> but the universal odium which that prince has incurred, inclined, perhaps, the nation to aggravate his crimes, without any sufficient authority. It is certain, however, that Henry's death was sudden; and, though he laboured under an ill state of health, this circumstance, joined to the general manners of the age, gave a natural ground of

Battle of  
Tewkes-  
bury, 4th  
May.

Murder of  
prince Ed-  
ward.  
21st May.  
Death of  
Henry VI.

<sup>1</sup> Hall, fol. 218. <sup>2</sup> Leland's Collect. vol. ii. p. 505. <sup>3</sup> Hall, fol. 219. Habbington, p. 451. Grafton, p. 706. Polyd. Virg. p. 528. <sup>4</sup> Hall, fol. 221. Habbington, p. 433. Holingshed, p. 688. Polyd. Virg. p. 530. <sup>5</sup> Comines, Hall, fol. 223. Grafton, p. 703.



suspicion, which was rather increased than diminished, by the exposing his body to public view. That precaution served only to recal many similar instances in the English history, and to suggest the comparison.

All the hopes of the house of Lancaster seemed now to be utterly extinguished. Every legitimate prince of that family was dead: almost every great leader of the party had perished in battle or on the scaffold: the earl of Pembroke, who was levying forces in Wales, disbanded his army, when he received intelligence of the battle of Tewkesbury; and he fled into Brittany, with his nephew, the young earl of Richmond.<sup>1</sup> The bastard of Falconberg, who had levied some forces, and had advanced to London, during Edward's absence, was repulsed; his men deserted him; he was taken prisoner, and immediately executed:<sup>2</sup> and peace being now fully restored to the nation, a parliament was summoned, which ratified, as usual, all the acts of the victor, 6th Oct. and recognised his legal authority.

But this prince, who had been so firm, and active, and intrepid, during the course of adversity, was still unable to resist the allurements of a prosperous fortune; and he wholly devoted himself, as before, to pleasure and amusement, after he became entirely master of his kingdom, and had no longer any enemy who could give him anxiety or alarm. He recovered, however, by this gay and inoffensive course of life, and by his easy, familiar manners, that popularity, which it is natural to imagine he had lost, by the repeated cruelties exercised upon his enemies; and the example, also, of his jovial festivity, served to abate the former acrimony of faction among his subjects, and to restore the social disposition which had been so long interrupted between the opposite parties. All men seemed to be fully satisfied with the present government; and the memory of past calamities served only to impress the people more strongly with a sense of their allegiance, and with the resolution of never incurring, any more, the hazard of renewing such direful scenes.

But, while the king was thus indulging himself in pleasure, he was roused from his lethargy, by a prospect of foreign conquests, which, it is probable, his desire of popularity, more than the spirit of ambition, had made him covet. Though he deemed himself little beholden to the duke of Burgundy, for the reception which that prince had given him during his exile,<sup>3</sup> the political interests of their states maintained still a close connexion between them; and they agreed to unite their arms, in making a powerful invasion on France. A league was formed, in which Edward stipulated to pass the seas, with an army exceeding ten thousand men, and to invade the French territories: Charles promised to join him with all his forces: the king was to challenge the crown

<sup>1</sup> Habington, p. 451. Polyd. Virg. p. 531. <sup>2</sup> Holingshed, p. 689, 690, 693. Hist. Croyl. cont. p. 554. <sup>3</sup> Comines, liv. iii. chap. 7.

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of France, and to obtain, at least the provinces of Normandy and Guienne : the duke was to acquire Champagne, and some other territories, and to free all his dominions from the burden of homage to the crown of France : and neither party was to make peace, without the consent of the other.<sup>1</sup> They were the more encouraged to hope for success from this league, as the count of St. Pol, constable of France, who was master of St. Quintin, and other towns on the Somme, had secretly promised to join them ; and there were also hopes of engaging the duke of Brittany to enter into the confederacy.

1474.

The prospect of a French war, was always a sure means of making the parliament open their purses, as far as the habits of that age would permit. They voted the king a tenth of rents, or two shillings in the pound ; which must have been very inaccurately levied, since it produced only thirty-one thousand four hundred and sixty pounds ; and they added to this supply, a whole fifteenth, and three quarters of another :<sup>2</sup> but, as the king deemed these sums still unequal to the undertaking, he attempted to levy money, by way of *benevolence* ; a kind of exaction, which, except during the reigns of Henry III. and Richard II. had not been much practised in former times, and which, though the consent of the parties was pretended to be gained, could not be deemed entirely voluntary.<sup>3</sup> The clauses annexed to the parliamentary grant show, sufficiently, the spirit of the nation, in this respect. The money levied by the fifteenth was not to be put into the king's hands, but to be kept in religious houses ; and, if the expedition into France should not take place, it was immediately to be refunded to the people. After these grants, the parliament was dissolved, which had sitten near two years and a half, and had undergone several prorogations ; a practice not very usual, at that time, in England.

1475.

Invasion of  
France.

The king passed over to Calais, with an army of fifteen hundred men at arms, and fifteen thousand archers ; attended by all the chief nobility of England, who, prognosticating future successes from the past, were eager to appear on this great theatre of honour.<sup>4</sup> But all their sanguine hopes were damped, when they found, on entering the French territories, that neither did the constable open his gates to them, nor the duke of Burgundy bring them the smallest assistance. That prince, transported by his ardent temper, had carried all his armies to a great distance, and had employed them in wars on the frontiers of Germany, and against the duke of Lorraine : and, though he came in person to Edward, and endeavoured to apologize

<sup>1</sup> Rymer, vol. xi. p. 806, 807, 808, &c. <sup>2</sup> Cotton, p. 696, 700. Hist. Croyl. cont. p. 558. <sup>3</sup> Hall, fol. 226. Habington, p. 461. Grafton, p. 719. Fabian, fol. 221. <sup>4</sup> Comines, liv. iv. chap. 5. This author says, (chap. 11.) that the king artfully brought over some of the richest of his subjects, who he knew would be soon tired of the war, and would promote all proposals of peace, which, he foresaw, would be soon necessary.

for this breach of treaty, there was no prospect that they would be able, this campaign, to make a conjunction with the English. This circumstance gave great disgust to the king, and inclined him to hearken to those advances which Lewis continually made him for an accommodation.

That monarch, more swayed by political views, than by the point of honour, deemed no submissions too mean, which might free him from enemies who had proved so formidable to his predecessors, and who, united to so many other enemies, might still shake the well established government of France. It appears, from Comines, that discipline was, at this time, very imperfect among the English; and that their civil wars, though long continued, yet, being always decided by hasty battles, had still left them ignorant of the improvements which the military art was beginning to receive upon the continent.<sup>1</sup> But as Lewis was sensible that the warlike genius of the people would soon render them excellent soldiers, he was far from despising them for their present want of experience; and he employed all his art to detach them from the alliance of Burgundy. When Edward sent him a herald to claim the crown of France, and to carry him a defiance in case of a refusal, so far from answering to this bravado in like haughty terms, he replied with great temper, and even made the herald a considerable present.<sup>2</sup> He took afterwards an opportunity of sending a herald to the English camp; and, having given him directions to apply to the lords Stanley and Howard, who, he heard, were friends to peace, he desired the good offices of these noblemen, in promoting an accommodation with their master.<sup>3</sup> As Edward was now fallen into like dispositions, a truce 29th Aug. was soon concluded, on terms more advantageous than honourable to Lewis. He stipulated to pay Edward immediately seventy-five thousand crowns, on condition that he should withdraw his army from France, and promised to pay him fifty thousand crowns a year, during their joint lives: it was added, that the dauphin, when of age, should marry Edward's eldest daughter.<sup>4</sup> In order to ratify this treaty, the two monarchs agreed to have a personal interview; and, for that purpose, suitable preparations were made at Pecquigni, near Amiens. A close rail was drawn across a bridge, in that place, with no larger intervals than would allow the arm to pass; a precaution against a similar accident to that which befel the duke of Burgundy, in his conference with the dauphin, at Montereau. Edward and Lewis came to the opposite sides; conferred privately together; and, having confirmed their friendship, and interchanged many mutual civilities, they soon after parted.<sup>5</sup> Peace of Pecquigni.

Lewis was anxious not only to gain the king's friendship, but also that of the nation, and of all the considerable persons in the

<sup>1</sup> Comines, liv. iv. chap. 5. <sup>2</sup> Ibid. Hall, fol. 227. <sup>3</sup> Comines, liv. iv. chap. 7. <sup>4</sup> Rymer, vol. xii. p. 17. <sup>5</sup> Comines, liv. iv. chap. 9.

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English court. He bestowed pensions, to the amount of sixteen thousand crowns a year, on several of the king's favourites: on lord Hastings, two thousand crowns; on lord Howard, and others, in proportion, and these great ministers were not ashamed, thus to receive wages from a foreign prince.<sup>1</sup> As the two armies, after the conclusion of the truce, remained some time in the neighbourhood of each other, the English were not only admitted freely into Amiens, where Lewis resided, but had also their charges defrayed, and had wine and victuals furnished them in every inn, without any payment being demanded. They flocked thither in such multitudes, that once above nine thousand of them were in the town, and they might have made themselves masters of the king's person; but Lewis, concluding from their jovial and dissolute manner of living, that they had no bad intentions, was careful not to betray the least sign of fear or jealousy, and when Edward, informed of this disorder, desired him to shut the gates against them, he replied, that he would never agree to exclude the English from the place where he resided; but that Edward, if he pleased, might recal them, and place his own officers at the gates of Amiens, to prevent their returning.<sup>2</sup>

Lewis's desire of confirming a mutual amity with England, engaged him even to make imprudent advances, which it cost him, afterwards, some pains to evade. In the conference at Pecquigni, he said to Edward, that he wished to have a visit from him at Paris; that he would there endeavour to amuse him with the ladies: and that in case any offences were then committed, he would assign him the cardinal of Bourbon, for confessor, who, from fellow-feeling, would not be over and above severe in the penances which he would enjoin. This hint made deeper impression than Lewis intended. Lord Howard, who accompanied him back to Amiens, told him, in confidence that if he were so disposed, it would not be impossible to persuade Edward to take a journey with him to Paris, where they might make merry together. Lewis pretended, at first, not to hear the offer: but, on Howard's repeating it, he expressed his concern that his wars with the duke of Burgundy, would not permit him to attend his royal guest, and do him the honours he intended. "Edward," said he privately to Comines, "is a very handsome, and a very amorous prince: some lady at Paris may like him as well as he shall do her: and may invite him to return in another manner. "It is better that the sea be between us."<sup>3</sup>

This treaty did very little honour to either of these monarchs: it discovered the imprudence of Edward, who had taken his measures so ill with his allies, as to be obliged, after such an expensive armament, to return without making any acquisitions

<sup>1</sup> Hall, fol. 235. <sup>2</sup> Comines, liv. iv. chap. 9. Hall, fol. 233. <sup>3</sup> Comines, liv. iv. chap. 10. Habington, p. 469.



adequate to it: it showed the want of dignity in Lewis, who, rather than run the hazard of a battle, agreed to subject his kingdom to a tribute, and thus acknowledged the superiority of a neighbouring prince, possessed of less power and territory than himself. But, as Lewis made interest the sole test of honour, he thought that all the advantages of the treaty were on his side, and that he had overreached Edward, by sending him out of France, on such easy terms. For this reason, he was very solicitous to conceal his triumph; and he strictly enjoined his courtiers never to show the English the least sign of mockery or derision. But he did not, himself, very carefully observe so prudent a rule: he could not forbear, one day, in the joy of his heart, throwing out some raillery on the easy simplicity of Edward and his council; when he perceived that he was overheard by a Gascon, who had settled in England. He was immediately sensible of his indiscretion; sent a message to the gentleman, and offered him such advantages in his own country, as engaged him to remain in France. *It is but just, said he, that I pay the penalty of my own talkativeness.*<sup>1</sup>

The most honourable part of Lewis's treaty with Edward, was, the stipulation for the liberty of queen Margaret, who, though, after the death of her husband and son, she could no longer be formidable to government, was still detained in custody by Edward. Lewis paid fifty thousand crowns for her ransom; and that princess, who had been so active on the stage of the world, and who had experienced such a variety of fortune, passed the remainder of her days in tranquillity and privacy, till the year 1482, when she died: an admirable princess, but more illustrious by her undaunted spirit in adversity, than by her moderation in prosperity. She seemed neither to have enjoyed the virtues, nor been subject to the weaknesses of her sex; and was as much tainted with the ferocity, as endowed with the courage of that barbarous age, in which she lived.

Though Edward had so little reason to be satisfied with the conduct of the duke of Burgundy, he reserved to that prince a power of acceding to the treaty of Pecquigni; but Charles, when the offer was made him, haughtily replied, that he was able to support himself, without the assistance of England, and that he would make no peace with Lewis, till three months after Edward's return into his own country. This prince possessed all the ambition and courage of a conqueror: but, being defective in policy and prudence, qualities no less essential, he was unfortunate in all his enterprises, and perished, at last, in battle, against the Swiss;<sup>2</sup> a people whom he despised, and who, though brave and free, had, hitherto, been in a manner overlooked, in the general system of Europe. This event, which happened in the year 1477, produced a great alteration in the

<sup>1</sup> Comines, liv. iii. chap. 10. <sup>2</sup> Ibid, liv. v. chap. 8.

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views of all the princes, and was attended with consequences which were felt for many generations. Charles left only one daughter, Mary, by his first wife; and this princess, being heir of his opulent and extensive dominions, was courted by all the potentates of Christendom, who contended for the possession of so rich a prize. Lewis, the head of her family, might, by a proper application, have obtained this match for the dauphin, and thereby united to the crown of France, all the provinces of the Low Countries, together with Burgundy, Artois, and Picardy: which would at once have rendered his kingdom an overmatch for all its neighbours. But a man wholly interested, is as rare as one entirely endowed with the opposite quality; and Lewis, though impregnable to all the sentiments of generosity and friendship, was, on this occasion, carried from the road of true policy, by the passions of animosity and revenge. He had imbibed so deep a hatred to the house of Burgundy, that he rather chose to subdue the princess by arms, than unite her to his family by marriage: he conquered the dutchy of Burgundy, and that part of Picardy which had been ceded to Philip the Good, by the treaty of Arras: but he thereby forced the states of the Netherlands to bestow their sovereign in marriage on Maximilian of Austria, son of the emperor Frederic, from whom they looked for protection in their present distresses: and by these means France lost the opportunity, which she never could recal, of making that important acquisition of power and territory.

During this interesting crisis, Edward was no less defective in policy, and was no less actuated by private passions, unworthy of a sovereign and a statesman. Jealousy of his brother Clarence, had caused him to neglect the advances which were made of marrying that prince, now a widower, to the heiress of Burgundy;<sup>1</sup> and he sent her proposals of espousing Anthony, earl of Rivers, brother to his queen, who still retained an entire ascendant over him. But the match was rejected with disdain;<sup>2</sup> and Edward, resenting this treatment of his brother-in-law, permitted France to proceed, without interruption, in her conquests over his defenceless ally. Any pretence sufficed him for abandoning himself, entirely, to indolence and pleasure, which were now become his ruling passions. The only object which divided his attention, was the improving of the public revenue, which had been dilapidated by the necessities or negligence of his predecessors; and some of his expedients, for that purpose, though unknown to us, were deemed, during that time, oppressive to the people.<sup>3</sup> The detail of private wrongs, naturally escapes the notice of history; but an act of tyranny, of which Edward was guilty in his own family, has been taken notice of by all writers, and has met with general and deserved censure.

<sup>1</sup> Polydore Virgil. Hall, fol. 240. Holingshed, p. 703. Habington, p. 474. Grafton, p. 742. <sup>2</sup> Hall, fol. 240. <sup>3</sup> Ibid. fol. 241. Hist. Croyl. cont. p. 559.

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Trial and  
execution  
of the  
duke of  
Clarence.

The duke of Clarence, by all his services in deserting Warwick, had never been able to regain the king's friendship, which he had forfeited, by his former confederacy with that nobleman. He was still regarded at court as a man of a dangerous and fickle character; and the imprudent openness and violence of his temper, though it rendered him much less dangerous, tended extremely to multiply his enemies, and to incense them against him. Among others, he had the misfortune to give displeasure to the queen herself, as well as to his brother, the duke of Gloucester, a prince of the deepest policy, of the most unrelenting ambition, and the least scrupulous in the means which he employed for the attainment of his ends. A combination between these potent adversaries being secretly formed against Clarence, it was determined to begin by attacking his friends; in hopes, that if he patiently endured this injury, his pusillanimity would dishonour him in the eyes of the public; if he made resistance, and expressed resentment, his passion would betray him into measures which might give them advantages against him. The king, hunting one day, in the park of Thomas Burdet, of Arrow, in Warwickshire, had killed a white buck, which was a great favourite of the owner: and Burdet, vexed at the loss, broke into a passion, and wished the horns of the deer in the belly of the person who had advised the king to commit that insult upon him. This natural expression of resentment, which would have been overlooked or forgotten, had it fallen from any other person, was rendered criminal and capital in that gentleman, by the friendship in which he had the misfortune to live with the duke of Clarence: he was tried for his life; the judges and jury were found servile enough to condemn him; and he was publicly beheaded, at Tyburn, for this pretended offence.<sup>1</sup> About the same time, one John Stacey, an ecclesiastic, much connected with the duke, as well as with Burdet, was exposed to a like iniquitous and barbarous prosecution. This clergyman, being more learned in mathematics and astronomy than was usual in that age, lay under the imputation of necromancy, with the ignorant vulgar; and the court laid hold of this popular rumour to effect his destruction. He was brought to his trial for that imaginary crime; many of the greatest peers countenanced the prosecution by their presence; he was condemned, put to the torture, and executed.<sup>2</sup>

The duke of Clarence was alarmed, when he found these acts of tyranny exercised on all around him: he reflected on the fate of the good duke of Gloucester, in the last reign, who, after seeing the most infamous pretences employed, for the destruction of his nearest connexions, at last fell himself a victim to the vengeance of his enemies. But Clarence, instead of securing his own life against the present danger, by silence and reserve, was open and loud in justifying the innocence of his friends, and in exclaiming:

<sup>1</sup> Habington, p. 475. Holingshed, p. 703. Sir Thomas More, in Kennet, p. 498. <sup>2</sup> Hist. Croyl. cont. p. 561.

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against the iniquity of their prosecutors. The king, highly offended with his freedom, or using that pretence against him, committed him to the Tower,<sup>1</sup> summoned a parliament, and tried him for his life, before the house of peers, the supreme tribunal of the nation.

The duke was accused of arraigning public justice, by maintaining the innocence of men who had been condemned in courts of judicature; and of inveighing against the iniquity of the king, who had given orders for their prosecution.<sup>2</sup> Many rash expressions were imputed to him, and some, too, reflecting on Edward's legitimacy; but he was not accused of any overt act of treason; and even the truth of these speeches may be doubted of, since the liberty of judgment was taken from the court, by the king's appearing personally as his brother's accuser,<sup>3</sup> and pleading the cause against him. But a sentence of condemnation, even when this extraordinary circumstance had not place, was a necessary consequence in those times, of any prosecution of the court, or the prevailing party; and the duke of Clarence was pronounced guilty, by the peers. The house of commons were no less slavish and unjust: they both petitioned for the execution of the duke, and afterwards passed a bill of attainder against him.<sup>4</sup> The measures of the parliament, during that age, furnish us with examples of a strange contrast of freedom and servility: they scruple to grant, and sometimes refuse, to the king, the smallest supplies, the most necessary for the support of government, even the most necessary for the maintenance of wars, for which the nation, as well as the parliament itself expressed great fondness: but they never scruple to concur in the most flagrant act of injustice or tyranny, which falls on any individual, however distinguished by birth or merit. These maxims, so ungenerous, so opposite to all the principles of good government, so contrary to the practice of present parliaments, are very remarkable in all the transactions of the English history, for more than a century after the period in which we are engaged.

18th Feb.

The only favour which the king granted his brother, after his condemnation, was to leave him the choice of his death; and he was privately drowned, in a butt of malmsey, in the Tower: a whimsical choice, which implies that he had an extraordinary passion for that liquor. The duke left two children, by the elder daughter of the earl of Warwick; a son, created an earl, by his grandfather's title, and a daughter, afterwards countess of Salisbury. Both this prince and princess were, also, unfortunate in their end, and died a violent death; a fate which, for many years, attended almost all the descendants of the royal blood in England. There prevails a report, that a chief source of the violent prosecution of the duke of Clarence, whose name was George, was a current prophecy, that the king's son should

<sup>1</sup> Hist. Croyl. cont. p. 562.    <sup>2</sup> Stowe, p. 430.    <sup>3</sup> Hist. Croyl. cont. p. 562  
<sup>4</sup> Stowe, p. 430.    Hist. Croyl. cont. p. 562.



be murdered by one, the initial letter of whose name was G.<sup>1</sup> It is not impossible but, in those ignorant times, such a silly reason might have some influence : but it is more probable that the whole story is the invention of a subsequent period, and founded on the murder of these children, by the duke of Gloucester. Comines remarks, that, at that time, the English never were without some superstitious prophecy or other, by which they accounted for every event.

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All the glories of Edward's reign terminated with the civil wars; where his laurels, too, were extremely sullied with blood, violence, and cruelty. His spirit seems afterwards to have been sunk in indolence and pleasure, or his measures were frustrated by imprudence and the want of foresight. There was no object on which he was more intent, than to have all his daughters settled by splendid marriages, though most of these princesses were yet in their infancy; and though the completion of his views, it was obvious, must depend on numberless accidents, which were impossible to be foreseen or prevented. His eldest daughter, Elizabeth, was contracted to the dauphin; his second, Cicely, to the eldest son of James III. king of Scotland; his third, Anne, to Philip, only son of Maximilian and the dutchess of Burgundy; his fourth, Catharine, to John, son and heir to Ferdinand, king of Arragon, and Isabella, queen of Castile.<sup>2</sup> None of these projected marriages took place; and the king himself saw, in his lifetime, the rupture of the first, that with the dauphin, for which he had always discovered a particular fondness. Lewis, who paid no regard to treaties or engagements, found his advantage in contracting the dauphin to the princess Margaret, daughter of Maximilian; and the king, notwithstanding his indolence, prepared to revenge the indignity. The French monarch, eminent for prudence as well as perfidy, endeavoured to guard against the blow; and, by a proper distribution of presents, in the court of Scotland, he incited James to make war upon England. This prince, who lived on bad terms with his own nobility, and whose force was very unequal to the enterprise, levied an army; but, when he was ready to enter England, the barons, conspiring against his favourites, put them to death without trial; and the army presently disbanded. The duke of Gloucester, attended by the duke of Albany, James's brother, who had been banished his country, entered Scotland, at the head of an army, took Berwick, and obliged the Scots to accept of a peace, by which they resigned that fortress to Edward. This success emboldened the king to think more seriously of a French war; but, while he was making preparations for that enterprise, he was seized with a distemper, of which he expired, in the forty-second year of his age, and the twenty-third of his reign: a prince more splendid and showy,

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9th April.  
Death and  
character  
of Edward  
IV.

<sup>1</sup> Hall, fol. 239. Holingshed, p. 703. Grafton, p. 741. Polydore Virgil, p. 537. Sir Thomas More, in Kennet, p. 497. <sup>2</sup> Rymer, vol. xi. p. 110.

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than either prudent or virtuous; brave, though cruel; addicted to pleasure, though capable of activity in great emergencies; and less fitted to prevent ills, by wise precautions, than to remedy them, after they took place, by his vigour and enterprise. Besides five daughters, this king left two sons; Edward, prince of Wales, his successor, then in his thirteenth year; and Richard, duke of York, in his ninth.

## CHAPTER XXIII.

## EDWARD V.—AND RICHARD III.

Edward V.—State of the Court—The earl of Rivers arrested—Duke of Gloucester Protector—Execution of lord Hastings—The Protector aims at the Crown—Assumes the Crown—Murder of Edward V. and of the duke of York—Richard III.—Duke of Buckingham discontented—The earl of Richmond—Buckingham executed—Invasion by the earl of Richmond—Battle of Bosworth—Death—and Character of Richard III.

## EDWARD V.

DURING the later years of Edward IV. the nation having, in a great measure, forgotten the bloody feuds between the two roses, and peaceably acquiescing in the established government, was agitated only by some court intrigues, which being restrained by the authority of the king, seemed nowise to endanger the public tranquillity. These intrigues arose from the perpetual rivalry between two parties; one consisting of the queen, and her relations, particularly the earl of Rivers, her brother, and the marquiss of Dorset, her son; the other composed of the ancient nobility, who envied the sudden growth and unlimited credit of that aspiring family.<sup>1</sup> At the head of this latter party, was the duke of Buckingham, a man of very noble birth, of ample possessions, of great alliances, of shining parts; who, though he had married the queen's sister, was too haughty to act in subserviency to her inclinations, and aimed rather at maintaining an independent influence and authority. Lord Hastings, the chamberlain, was another leader of the same party; and, as this nobleman had, by his bravery and activity, as well as by his approved fidelity, acquired the confidence and favour of his master, he had been able, though with some difficulty, to support himself against the credit of the queen. The lords Howard and Stanley maintained a connexion with these two noblemen, and brought a considerable accession of influence and reputation to their party. All the other barons, who had no particular dependence on the queen, adhered to the same interest: and the people, in general, from their natural envy against the prevailing power, bore great favour to the cause of these noblemen.

But Edward knew that, though he himself had been able to overawe those rival factions, many disorders might arise from their contests during the minority of his son; and he, therefore, took care, in his last illness, to summon together several of the leaders on both sides, and, by composing their ancient quarrels, to provide, as far as possible, for the future tranquillity of the government. After expressing his intentions that his brother, the

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<sup>1</sup> Sir Thomas More, p. 481.

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duke of Gloucester, then absent in the north, should be entrusted with the regency, he recommended to them peace and unanimity, during the tender years of his son; represented to them the dangers which must attend the continuance of their animosities; and engaged them to embrace each other with all the appearance of the most cordial reconciliation. But this temporary, or feigned agreement, lasted no longer than the king's life: he had no sooner expired, than the jealousies of the parties broke out afresh: and each of them applied, by separate messages, to the duke of Gloucester, and endeavoured to acquire his favour and friendship.

This prince, during his brother's reign, had endeavoured to live on good terms with both parties; and his high birth, his extensive abilities, and his great services, had enabled him to support himself, without falling into a dependence on either. But the new situation of affairs, when the supreme power was devolved upon him, immediately changed his measures; and he secretly determined to preserve no longer that neutrality which he had hitherto maintained. His exorbitant ambition, unrestrained by any principle either of justice or humanity, made him carry his views to the possession of the crown itself; and as this object could not be attained, without the ruin of the queen and her family, he fell, without hesitation, into concert with the opposite party. But, being sensible that the most profound dissimulation was requisite for effecting his criminal purposes, he redoubled his professions of zeal and attachment to that princess; and he gained such credit with her, as to influence her conduct in a point which, as it was of the utmost importance, was violently disputed between the opposite factions.

The young king, at the time of his father's death, resided in the castle of Ludlow, on the borders of Wales; whither he had been sent, that the influence of his presence might overawe the Welch, and restore the tranquillity of that country, which had been disturbed by some late commotions. His person was committed to the care of his uncle, the earl of Rivers, the most accomplished nobleman in England, who, having united an uncommon taste for literature,<sup>1</sup> to great abilities in business, and valour in the field, was entitled by his talents, still more than by nearness of blood, to direct the education of the young monarch. The queen, anxious to preserve that ascendant over her son, which she had long maintained over her husband, wrote to the earl of Rivers, that he should levy a body of forces, in order to escort the king to London, to protect him during his coronation, and to keep him from falling into the hands of their enemies. The opposite faction, sensible that Edward was now of an age when great advantages could be made of his name and countenance.

<sup>1</sup> This nobleman first introduced the noble art of printing into England. Caxton was recommended, by him, to the patronage of Edward IV. See Catalogue of Royal and Noble Authors.



and was approaching to the age when he would be legally entitled to exert, in person, his authority, foresaw, that the tendency of this measure was to perpetuate their subjection under their rivals; and they vehemently opposed a resolution which they represented as the signal for renewing a civil war in the kingdom. Lord Hastings threatened to depart instantly to his government of Calais:<sup>1</sup> the other nobles seemed resolute to oppose force by force: and, as the duke of Gloucester, on pretence of pacifying the quarrel, had declared against all appearance of an armed power, which might be dangerous, and was nowise necessary, the queen, trusting to the sincerity of his friendship, and overawed by so violent an opposition, recalled her orders to her brother, and desired him to bring up no greater retinue than should be necessary to support the state and dignity of the young sovereign.<sup>2</sup>

The duke of Gloucester, meanwhile, set out from York, attended by a numerous train of the northern gentry. When he reached Northampton, he was joined by the duke of Buckingham, who was also attended by a splendid retinue; and, as he heard that the king was hourly expected on that road, he resolved to wait his arrival, under colour of conducting him thence, in person, to London. The earl of Rivers, apprehensive that the place would be too narrow to contain so many attendants, sent his pupil forward, by another road, to Stony-Stratford; and came himself to Northampton, in order to apologize for this measure, and to pay his respects to the duke of Gloucester. He was received with the greatest appearance of cordiality: he passed the evening in an amicable manner, with Gloucester and Buckingham: he proceeded on the road with them the next day, to join the king: but, as he was entering Stony-Stratford, he was arrested, by orders from the duke of Gloucester;<sup>3</sup> Sir Richard Gray, one of the queen's sons, was, at the same time, put under a guard, together with Sir Thomas Vaughan, who possessed a considerable office in the king's household; and all the prisoners were instantly conducted to Pomfret. Gloucester approached the young prince, with the greatest demonstrations of respect; and endeavoured to satisfy him, with regard to the violence committed on his uncle and brother: but Edward, much attached to these near relations, by whom he had been tenderly educated, was not such a master of dissimulation as to conceal his displeasure.<sup>4</sup>

The earl  
of Rivers  
arrested,  
1st May.

The people, however, were extremely rejoiced at this revolution; and the duke was received in London, with the loudest acclamations: but the queen no sooner received intelligence of her brother's imprisonment, than she foresaw that Gloucester's violence would not stop there, and that her own ruin, if not that of all her children, was finally determined. She, therefore, fled into the sanctuary of Westminster, attended by the marquis of Dorset; and she carried thither the five princesses, together with the

<sup>1</sup> Hist. Croyl. cont. p. 564, 565. <sup>2</sup> Sir T. More, p. 483. <sup>3</sup> Hist. Croyl. cont. p. 564, 565. <sup>4</sup> Sir T. More, p. 464.

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duke of York.<sup>1</sup> She trusted, that the ecclesiastical privileges which had formerly, during the total ruin of her husband and family, given her protection against the fury of the Lancastrian faction, would not now be violated by her brother-in-law, while her son was on the throne; and she resolved to await there the return of better fortune. But Gloucester, anxious to have the duke of York in his power, proposed to take him by force from the sanctuary; and he represented to the privy council, both the indignity put upon the government, by the queen's ill grounded apprehensions, and the necessity of the young prince's appearance at the ensuing coronation of his brother. It was farther urged, that ecclesiastical privileges were originally intended only to give protection to unhappy men, persecuted for their debts or crimes; and were entirely useless to a person, who, by reason of his tender age, could lie under the burden of neither, and who, for the same reason, was utterly incapable of claiming security from any sanctuary. But the two archbishops, cardinal Bourchier, the primate, and Rotherham, archbishop of York, protesting against the sacrilege of this measure, it was agreed, that they should first endeavour to bring the queen to a compliance, by persuasion, before any violence should be employed against her. These prelates were persons of known integrity and honour: and being themselves entirely persuaded of the duke's good intentions, they employed every argument, accompanied with earnest entreaties, exhortations, and assurances, to bring her over to the same opinion. She long continued obstinate, and insisted, that the duke of York, by living in the sanctuary, was not only secure himself, but gave security to the king, whose life no one would dare to attempt, while his successor and avenger remained in safety. But, finding that none supported her in these sentiments, and that force, in case of refusal, was threatened by the council, she at last complied, and produced her son to the two prelates. She was here, on a sudden, struck with a kind of presage of his future fate: she tenderly embraced him: she bedewed him with her tears; and, bidding him an eternal adieu, delivered him, with many expressions of regret and reluctance, into their custody.<sup>2</sup>

The duke of Gloucester, being the nearest male of the royal family, capable of exercising the government, seemed entitled, by the customs of the realm, to the office of protector; and the council, not waiting for the consent of parliament, made no scruple of investing him with that high dignity.<sup>3</sup> The general prejudice entertained by the nobility against the queen and her kindred, occasioned this precipitation and irregularity; and no one foresaw any danger to the succession, much less to the lives of the young princes, from a measure so obvious and so natural. Besides that the duke had hitherto been able to cover, by the most profound dissimulation, his fierce and savage nature; the numerous issue of Edward, together with the two children of

Duke of  
Gloucester  
protector.

<sup>1</sup> Hist. Croyl. cont. p. 565. <sup>2</sup> Sir T. More, p. 491. <sup>3</sup> Hist. Croyl. cont. p. 566.

Clarence, seemed to be an eternal obstacle to his ambition : and it appeared equally impracticable for him to destroy so many persons, possessed of a preferable title, and imprudent to exclude them. But a man, who had abandoned all principles of honour and humanity, was soon carried, by his predominant passion, beyond the reach of fear or precaution ; and Gloucester, having so far succeeded in his views, no longer hesitated in removing the other obstructions, which lay between him and the throne. The death of the earl of Rivers and of the other prisoners, detained in Pomfret, was first determined ; and he easily obtained the consent of the duke of Buckingham, as well as of lord Hastings, to this violent and sanguinary measure. However easy it was in those times to procure a sentence against the most innocent person, it appeared still more easy to despatch an enemy, without any trial or form of process ; and orders were accordingly issued to Sir Richard Ratcliffe, a proper instrument in the hands of this tyrant, to cut off the heads of the prisoners. The protector then assailed the fidelity of Buckingham, by all the arguments capable of swaying a vicious mind, which knew no motive of action, but interest and ambition. He represented, that the execution of persons so nearly related to the king, whom that prince so openly professed to love, and whose fate he so much resented, would never pass unpunished ; and all the actors in that scene were bound, in prudence, to prevent the effects of his future vengeance : that it would be impossible to keep the queen for ever at a distance from her son, and equally impossible to prevent her from instilling into his tender mind, the thoughts of retaliating, by like executions, the sanguinary insults committed on her family : that the only method of obviating these mischiefs, was to put the sceptre into the hands of a man, of whose friendship the duke might be assured, and whose years and experience taught him to pay respect to merit, and to the rights of ancient nobility : and that the same necessity, which had carried them so far in resisting the usurpation of these intruders, must justify them in attempting farther innovations, and in making, by national consent, a new settlement of the succession. To these reasons, he added the offers of great private advantages to the duke of Buckingham ; and he easily obtained from him a promise of supporting him in all his enterprises.

The duke of Gloucester, knowing the importance of gaining lord Hastings, sounded, at a distance, his sentiments, by means of Catesby, a lawyer, who lived in great intimacy with that nobleman ; but found him impregnable in his allegiance and fidelity to the children of Edward, who had ever honoured him with his friendship.<sup>1</sup> He saw, therefore, that there were no longer any measures to be kept with him : and he determined to ruin utterly the man whom he despaired of engaging to concur in his usurpation. On

<sup>1</sup> Sir T. More, p. 493.

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the very day when Rivers, Gray, and Vaughan, were executed; or rather murdered, at Pomfret, by the advice of Hastings, the protector summoned a council in the Tower; whither that nobleman, suspecting no design against him, repaired without hesitation. The duke of Gloucester was capable of committing the most bloody and treacherous murders, with the utmost coolness and indifference. On taking his place at the council table, he appeared in the easiest and most jovial humour imaginable. He seemed to indulge himself in familiar conversation with the counsellors, before they should enter on business; and, having paid some compliments to Morton, bishop of Ely, on the good and early strawberries which he raised in his garden at Holborn, he begged the favour of having a dish of them, which that prelate immediately despatched a servant to bring to him. The protector then left the council, as if called away by some other business; but, soon after returning, with an angry and inflamed countenance, he asked them what punishment those deserved, that had plotted against *his* life, who was so nearly related to the king, and was entrusted with the administration of government? Hastings replied, that they merited the punishment of traitors. *These traitors*, cried the protector, *are the sorceress, my brother's wife, and Jane Shore, his mistress, with others, their associates: see to what a condition they have reduced me by their incantations and witchcraft:* upon which he laid bare his arm, all shrivelled and decayed. But the counsellors, who knew that this infirmity had attended him from his birth, looked on each other with amazement; and above all, lord Hastings, who, as he had, since Edward's death, engaged in an intrigue with Jane Shore,\* was naturally anxious concerning the issue of these extraordinary proceedings. *Certainly, my lord*, said he, *if they be guilty of these crimes they deserve the severest punishment. And do you reply to me*, exclaimed the protector, *with your ifs and your ands? You are the chief abettor of that witch Shore! You are yourself a traitor: and I swear by St. Paul, that I will not dine before your head be brought me.* He struck the table with his hand: armed men rushed in at the signal: the counsellors were thrown into the utmost consternation: and one of the guards, as if by accident or mistake, aimed a blow with a poll-axe at lord Stanley, who, aware of the danger, slunk under the table; and though he saved his life, received a severe wound in the head, in the protector's presence. Hastings was seized, was hurried away, and instantly beheaded on a timber log, which lay in the court of the Tower.<sup>1</sup> Two hours after, a proclamation, well penned and fairly written, was read to the citizens of London, enumerating his offences, and apologizing to them, from the suddenness of the discovery, for the sudden execution of that nobleman, who was very popular among them: but the saying of a merchant was

Execution  
of lord  
Hastings.

\* See note [K.] at the end of the volume. <sup>1</sup> Hist. Croyl. cont. p. 566.



much talked of on the occasion, who remarked that the proclamation was certainly drawn by the spirit of prophecy.<sup>1</sup>

Lord Stanley, the archbishop of York, the bishop of Ely, and other counsellors, were committed prisoners in different chambers of the Tower: and the protector, in order to carry on the farce of his accusations, ordered the goods of Jane Shore to be seized; and he summoned her to answer, before the council, for sorcery and witchcraft. But as no proofs, which could be received, even in that ignorant age, were produced against her, he directed her to be tried in the spiritual court for her adulteries and lewdness; and she did penance, in a white sheet, at St. Paul's, before the whole people. This lady was born of reputable parents in London, was well educated, and married to a substantial citizen; but unhappily, views of interest, more than the maid's inclinations, had been consulted in the match, and her mind, though framed for virtue, had proved unable to resist the allurements of Edward, who solicited her favours. But while seduced from her duty, by this gay and amorous monarch, she still made herself respectable by her other virtues; and the ascendant, which her charms and vivacity long maintained over him, was all employed in acts of beneficence and humanity. She was still forward to oppose calumny, to protect the oppressed, to relieve the indigent; and her good offices, the genuine dictates of her heart, never waited the solicitation of presents, or the hopes of reciprocal services. But she lived not only to feel the bitterness of shame, imposed on her, by this tyrant, but to experience, in old age and poverty, the ingratitude of those courtiers, who had long solicited her friendship, and been protected by her credit. No one, among the great multitudes, whom she had obliged, had the humanity to bring her consolation or relief: she languished out her life in solitude and indigence: and amidst a court, inured to the most atrocious crimes, the frailties of this woman justified all violations of friendship towards her, and all neglect of former obligations.

These acts of violence, exercised against all the nearest connexions of the late king, prognosticated the severest fate to his defenceless children; and, after the murder of Hastings, the protector no longer made a secret of his intentions to usurp the crown. The licentious life of Edward, who was not restrained in his pleasures, either by honour or prudence, afforded a pretence for declaring his marriage with the queen invalid, and all his posterity illegitimate. It was asserted, that before espousing the lady Elizabeth Gray, he paid court to the lady Eleanor Talbot, daughter of the earl of Shrewsbury; and being repulsed, by the virtue of that lady, he was obliged, ere he could gratify his desires, to consent to a private marriage, without any witnesses, by Stillington, bishop of Bath, who afterwards divulged the secret.<sup>1</sup> It was also maintained, that the act of attainder, passed

The protector aims at the crown.

<sup>1</sup> Sir T. More, p. 496.

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against the duke of Clarence, had virtually incapacitated his children from succeeding to the crown; and these two families being set aside, the protector remained the only true and legitimate heir of the house of York. But as it would be difficult, if not impossible, to prove the preceding marriage of the late king; and as the rule, which excludes the heirs of an attainted blood from private successions, was never extended to the crown; the protector resolved to make use of another plea, still more shameful and scandalous. His partisans were taught to maintain, that both Edward IV. and the duke of Clarence, were illegitimate; that the dutchess of York had received different lovers into her bed, who were the fathers of these children; that their resemblance to those gallants, was a sufficient proof of their spurious birth; and that the duke of Gloucester, alone, of all her sons, appeared, by his features and countenance, to be the true offspring of the duke of York. Nothing can be imagined more impudent, than this assertion, which threw so foul an imputation on his own mother, a princess of irreproachable virtue, and then alive; yet, the place chosen for first promulgating it was the pulpit, before a large congregation, and in the protector's presence. Dr. Shaw was appointed to preach in St. Paul's, and having chosen this passage for his text, *Bastard slips shall not thrive*; he enlarged on all the topics which could discredit the birth of Edward IV. the duke of Clarence, and of all their children. He then broke out in a panegyric on the duke of Gloucester; and exclaimed, "Behold this excellent prince, the express image of his noble father, the genuine descendant of the house of York; bearing, no less in the virtues of his mind, than in the features of his countenance, the character of the gallant Richard, once your hero and favourite: he, alone, is entitled to your allegiance: he must deliver you from the dominion of all intruders: he, alone, can restore the lost glory and honour of the nation." It was previously concerted, that, as the doctor should pronounce these words, the duke of Gloucester should enter the church; and it was expected that the audience would cry out, *God save king Richard!* which would immediately have been laid hold of, as a popular consent, and interpreted to be the voice of the nation: but by a ridiculous mistake, worthy of the whole scene, the duke did not appear, till after this exclamation was already recited by the preacher. The doctor was, therefore, obliged to repeat his rhetorical figure out of its proper place: the audience, less from the absurd conduct of the discourse, than from their detestation of these proceedings, kept a profound silence; and the protector and his preacher, were equally abashed, at the ill success of their stratagem.

But the duke was too far advanced to recede from his criminal and ambitious purpose. A new expedient was tried, to work on

the people. The mayor, who was brother to Dr. Shaw, and entirely in the protector's interests, called an assembly of the citizens; where the duke of Buckingham, who possessed some talents for eloquence, harangued them, on the protector's title to the crown, and displayed those numerous virtues, of which he pretended that prince was possessed. He next asked them, whether they would have the duke for king? and then stopped, in expectation of hearing them cry, *God save king Richard!* He was surprised to observe them silent, and, turning about to the mayor, asked him the reason. The mayor replied, that perhaps they did not understand him. Buckingham then repeated his discourse, with some variation; enforced the same topics, asked the same question, and was received with the same silence. "I now see the cause," said the mayor; "the citizens are not accustomed to be harangued by any but their recorder; and know not how to answer a person of your grace's quality." The recorder was then commanded to repeat the substance of the duke's speech; but the man, who was averse to the office, took care, throughout his whole discourse, to have it understood that he spoke nothing of himself, and that he only conveyed to them, the sense of the duke of Buckingham. Still the audience kept a profound silence: "This is wonderful obstinacy," cried the duke: "Express your meaning, my friends, one way or other; when we apply to you, on this occasion, it is merely from the regard which we bear to you. The lords and commons have sufficient authority, without your consent, to appoint a king: but I require you here to declare, in plain terms, whether or not, you will have the duke of Gloucester for your sovereign?" After all these efforts, some of the meanest apprentices, incited by the protector's and Buckingham's servants, raised the feeble cry, *God save king Richard!*<sup>1</sup> The sentiments of the nation were now sufficiently declared: the voice of the people was the voice of God: and Buckingham, with the mayor, hastened to Baynard's castle, where the protector then resided, that they might make him a tender of the crown.

When Richard was told that a great multitude was in the 25th June. court, he refused to appear to them, and pretended to be apprehensive for his personal safety: a circumstance taken notice of by Buckingham, who observed to the citizens, that the prince was ignorant of the whole design. At last he was persuaded to step forth, but he still kept at some distance; and he asked the meaning of their intrusion and importunity. Buckingham told him, that the nation was resolved to have him for king: the protector declared his purpose of maintaining his loyalty to the present sovereign, and exhorted them to adhere to the same resolution. He was told, that the people had determined to have another prince; and if he rejected their unanimous voice, they must

<sup>1</sup> Sir T. More, p. 496.

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The protector assumes the throne. Murder of Edward V. and of the duke of York.

look out for one, who would be more compliant. This argument was too powerful to be resisted: he was prevailed on to accept of the crown, and he thenceforth acted as legitimate and rightful sovereign.

This ridiculous farce was, soon after, followed by a scene, truly tragical; the murder of the two young princes. Richard gave orders to Sir Robert Brakenbury, constable of the Tower, to put his nephews to death; but this gentleman, who had sentiments of honour, refused to have any hand in the infamous office. The tyrant then sent for Sir James Tyrrel, who promised obedience; and he ordered Brakenbury to resign to this gentleman, the keys and government of the Tower, for one night. Tyrrel, choosing three associates, Slater, Dighton, and Forest, came, in the night time, to the door of the chamber, where the princes were lodged; and sending in the assassins, he bade them execute their commission, while he, himself, staid without. They found the young princes in bed, and fallen into a profound sleep. After suffocating them with the bolster and pillows, they showed their naked bodies to Tyrrel, who ordered them to be buried at the foot of the stairs, deep in the ground, under a heap of stones.<sup>1</sup> These circumstances were all confessed by the actors in the following reign; and they were never punished for the crime: probably, because Henry, whose maxims of government were extremely arbitrary, desired to establish it as a principle, that the commands of the reigning sovereign ought to justify every enormity in those who paid obedience to them. But there is one circumstance, not so easy to be accounted for: it is pretended that Richard, displeased with the indecent manner of burying his nephews, whom he had murdered, gave his chaplain orders to dig up the bodies, and to inter them in consecrated ground; and, as the man died soon after, the place of their burial remained unknown, and the bodies could never be found, by any search, which Henry could make for them. Yet, in the reign of Charles II. when there was occasion to remove some stones, and to dig in the very spot, which was mentioned as the place of their first interment, the bones of two persons were there found, which, by their size, exactly corresponded to the age of Edward and his brother: they were concluded, with certainty, to be the remains of those princes, and were interred under a marble monument, by orders of king Charles.<sup>2</sup> Perhaps Richard's chaplain had died before he found an opportunity of executing his master's commands; and the bodies being supposed to be already removed, a diligent search was not made for them by Henry, in the place where they had been buried.

<sup>1</sup> Sir T. More, p. 501.    <sup>2</sup> Kennet, p. 551.







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## RICHARD III.

THE first acts of Richard's administration were, to bestow rewards on those who had assisted him in usurping the crown, and to gain by favour those who he thought were best able to support his future government. Thomas, lord Howard, was created duke of Norfolk; Sir Thomas Howard, his son, earl of Surrey; lord Lovel, a viscount, by the same name; even lord Stanley was set at liberty, and made steward of the household. This nobleman had become obnoxious by his first opposition to Richard's views, and, also, by his marrying the countess dowager of Richmond, heir of the Somerset family; but, sensible of the necessity of submitting to the present government, he feigned such zeal for Richard's service, that he was received into favour, and even found means to be entrusted with the most important commands, by that politic and jealous tyrant.

But the person who, both from the greatness of his services, and the power and splendour of his family, was best entitled to favours, under the new government, was the duke of Buckingham; and Richard seemed determined to spare no pains or bounty in securing him to his interests. Buckingham was descended from a daughter of Thomas, of Woodstock, duke of Gloucester, uncle to Richard II. and, by this pedigree, he not only was allied to the royal family, but had claims for dignities, as well as estates, of a very extensive nature. The duke of Gloucester, and Henry, earl of Derby, afterwards Henry IV. had married the two daughters and coheirs of Bohun, earl of Hereford, one of the greatest of the ancient barons, whose immense property came thus to be divided into two shares. One was inherited by the family of Buckingham; the other was united to the crown, by the house of Lancaster; and, after the attainder of that royal line, was seized, as legally devolved to them, by the sovereigns of the house of York. The duke of Buckingham laid hold of the present opportunity, and claimed the restitution of that portion of the Hereford estate, which had escheated to the crown, as well as of the great office of constable, which had long continued, by inheritance, in his ancestors of that family. Richard readily complied with these demands, which were probably the price stipulated to Buckingham, for his assistance in promoting the usurpation. That nobleman was invested with the office of constable: he received a grant of the estate of Hereford;<sup>1</sup> many other dignities and honours were conferred upon him; and the king thought himself sure of preserving the fidelity of a man, whose interests seemed so closely connected with those of the present government.

But it was impossible that friendship could long remain inviolate, between two men of such corrupt minds as Richard and the duke of Buckingham. Historians ascribe their first rupture to the

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Duke of  
Buckingham dis-  
contented.<sup>1</sup> Dugdale's Baron. vol. i. p. 168, 169.

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king's refusal of making restitution of the Hereford estate; but it is certain, from records, that he passed a grant for that purpose, and that the full demands of Buckingham were satisfied in this particular. Perhaps Richard was soon sensible of the danger which might ensue from conferring such an immense property on a man of so turbulent a disposition, and afterwards raised difficulties about the execution of his own grant: perhaps he refused some other demands of Buckingham, whom he found it impossible to gratify for his past services: perhaps he resolved, according to the usual maxims of politicians, to seize the first opportunity of ruining this powerful subject, who had been the principal instrument of his own elevation; and the discovery of his intention, begat the first discontent in the duke of Buckingham. However this may be, it is certain that the duke, soon after Richard's accession, began to form a conspiracy against the government, and attempted to overthrow that usurpation which he himself had so zealously contributed to establish.

Never was there, in any country, an usurpation more flagrant than that of Richard, or more repugnant to every principle of justice and public interest. His claim was entirely founded on impudent allegations, never attempted to be proved, some of them incapable of proof, and all of them implying scandalous reflections on his own family, and on the persons with whom he was the most nearly connected. His title was never acknowledged, by any national assembly, scarcely even by the lowest populace, to whom he appealed; and it had become prevalent, merely for want of some person of distinction who might stand forth against him, and give a voice to those sentiments of general detestation, which arose in every bosom. Were men disposed to pardon these violations of public right, the sense of private and domestic duty, which is not to be effaced in the most barbarous times, must have begotten an abhorrence against him; and have represented the murder of the young and innocent princes, his nephews, with whose protection he had been entrusted, in the most odious colours imaginable. To endure such a bloody usurper, seemed to draw disgrace upon the nation, and to be attended with immediate danger to every individual, who was distinguished by birth, merit, or services. Such was become the general voice of the people; all parties were united in the same sentiments; and the Lancastrians, so long oppressed, and of late so much discredited, felt their blasted hopes again revive, and anxiously expected the consequences of these extraordinary events. The duke of Buckingham, whose family had been devoted to that interest, and who, by his mother, a daughter of Edmund, duke of Somerset, was allied to the house of Lancaster, was easily induced to espouse the cause of this party, and to endeavour the restoring of it to its ancient superiority. Morton, bishop of Ely, a zealous Lancastrian, whom the king had imprisoned, and had afterwards committed



to the custody of Buckingham, encouraged these sentiments ; and, by his exhortations, the duke cast his eye towards the young earl of Richmond, as the only person, who could free the nation from the tyranny of the present usurper.<sup>1</sup>

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Henry, earl of Richmond, was, at this time, detained in a kind of honourable custody, by the duke of Brittany ; and his descent, which seemed to give him some pretensions to the crown, had been a great object of jealousy, both in the late, and in the present reign. John, the first duke of Somerset, who was grandson of John of Gaunt, by a spurious branch, but legitimated, by act of parliament, had left only one daughter, Margaret ; and his younger brother, Edmund, had succeeded him in his titles, and in a considerable part of his fortune. Margaret had espoused Edmund, earl of Richmond, half brother of Henry VI. and son of Sir Owen Tudor and Catharine of France, relict of Henry V. and she bore him only one son, who received the name of Henry, and who, after his father's death, inherited the honours and fortune of Richmond. His mother, being a widow, had espoused, in second marriage, Sir Henry Stafford, uncle to Buckingham ; and after the death of that gentleman, had married lord Stanley ; but had no children by either of these husbands ; and her son Henry, was thus, in the event of her death, the sole heir of all her fortunes. But this was not the most considerable advantage which he had reason to expect from her succession : he would represent the elder branch of the house of Somerset ; he would inherit all the title of that family to the crown ; and though its claim, while any legitimate branch subsisted of the house of Lancaster, had always been much disregarded, the zeal of faction, after the death of Henry VI. and the murder of prince Edward, immediately conferred a weight and consideration upon it.

Edward IV. finding that all the Lancastrians had turned their attention towards the young earl of Richmond, as the object of their hopes, thought him, also, worthy of his attention ; and pursued him into his retreat in Brittany, whither his uncle, the earl of Pembroke, had carried him after the battle of Tewkesbury, so fatal to his party. He applied to Francis II. duke of Brittany, who was his ally, a weak, but a good prince ; and urged him to deliver up this fugitive, who might be the source of future disturbances in England : but the duke, averse to so dishonourable a proposal, would only consent, that, for the security of Edward, the young nobleman should be detained in custody ; and he received an annual pension from England, for the safe keeping, or the subsistence of his prisoner. But, towards the end of Edward's reign, when the kingdom was menaced with a war, both from France and Scotland, the anxieties of the English court, with regard to Henry, were much increased ; and Edward made a new proposal to the duke, which covered, under the fairest appear-

<sup>1</sup> Hist. Croyl. cont. p. 568.

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ances, the most bloody and treacherous intentions. He pretended, that he was desirous of gaining his enemy, and of uniting him to his own family, by a marriage with his own daughter, Elizabeth; and he solicited to have him sent over to England, in order to execute a scheme, which would redound so much to his advantage. These pretences, seconded, as is supposed, by bribes to Peter Landais, a corrupt minister, by whom the duke was entirely governed, gained credit with the court of Brittany: Henry was delivered into the hands of the English agents: he was ready to embark, when a suspicion of Edward's real design was suggested to the duke, who recalled his orders, and thus saved the unhappy youth from the imminent danger which hung over him.

These symptoms of continued jealousy, in the reigning family of England, both seemed to give some authority to Henry's pretensions, and made him the object of general favour and compassion, on account of the dangers and persecutions, to which he was exposed. The universal detestation of Richard's conduct, turned, still more, the attention of the nation towards Henry; and, as all the descendants of the house of York, were either women, or minors, he seemed to be the only person from whom the nation could expect the expulsion of the odious and bloody tyrant. But, notwithstanding these circumstances, which were so favourable to him, Buckingham and the bishop of Ely, well knew, that there would still lie many obstacles in his way to the throne; and that, though the nation had been much divided between Henry VI. and the duke of York, while present possession and hereditary rights stood in opposition to each other; yet, as soon as these titles were united in Edward IV. the bulk of the people had come over to the reigning family; and the Lancastrians had extremely decayed, both in numbers and in authority. It was, therefore, suggested by Morton, and readily assented to by the duke, that the only means of overturning the present usurpation, was to unite the opposite factions, by contracting a marriage between the earl of Richmond and the princess Elizabeth, eldest daughter of king Edward, and thereby blending together the opposite pretensions of their families, which had so long been the source of public disorders and convulsions. They were sensible that the people were extremely desirous of repose, after so many bloody and destructive commotions; that both Yorkists and Lancastrians, who now lay equally under oppression, would embrace this scheme with ardour; and that the prospect of reconciling the two parties, which was, in itself, so desirable an end, would, when added to the general hatred against the present government, render their cause absolutely invincible. In consequence of these views, the prelate, by means of Reginald Bray, steward to the countess of Richmond, first opened the project of such an union to that lady; and the plan appeared so advantageous for her son, and, at the same time, so likely to succeed, that it admitted not of the least

hesitation. Dr. Lewis, a Welch physician, who had access to the queen dowager in her sanctuary, carried the proposals to her; and found, that revenge for the murder of her brother and of her three sons, apprehensions for her surviving family, and indignation against her confinement, easily overcame all her prejudices against the house of Lancaster, and procured her approbation of a marriage, to which the age and birth, as well as the present situation of the parties, seemed so naturally to invite them. She secretly borrowed a sum of money in the city; sent it over to the earl of Richmond; required his oath to celebrate the marriage, as soon as he should arrive in England; advised him to levy as many foreign forces as possible, and promised to join him, on his first appearance, with all the friends and partisans of her family.

The plan being thus laid, upon the solid foundations of good sense and sound policy, it was secretly communicated to the principal persons, of both parties, in all the counties of England; and a wonderful alacrity appeared, in every order of men, to forward its success and completion. But it was impossible, that so extensive a conspiracy could be conducted in so secret a manner, as entirely to escape the jealous and vigilant eye of Richard; and he soon received intelligence that his enemies, headed by the duke of Buckingham, were forming some design against his authority. He immediately put himself in a posture of defence, by levying troops in the north; and he summoned the duke to appear at court, in such terms as seemed to promise him a renewal of their former amity. But that nobleman, well acquainted with the barbarity and treachery of Richard, replied only by taking arms in Wales, and giving the signal to his accomplices, for a general insurrection in all parts of England. But, at that very time, there happened to fall such heavy rains, so incessant and continued, as exceeded any known in the memory of man; and the Severn, with the other rivers in that neighbourhood, swelled to a height which rendered them impassable, and prevented Buckingham from marching into the heart of England, to join his associates. The Welchmen, partly moved by superstition, at this extraordinary event, partly distressed by famine in their camp, fell off from him; and Buckingham, finding himself deserted by his followers, put on a disguise, and took shelter in the house of Bannister, an old servant of his family. But, being detected in his retreat, he was brought to the king, at Salisbury; and was instantly executed, according to the summary method practised in that age.<sup>1</sup> The other conspirators, who took arms in four different places, at Exeter, at Salisbury, at Newbury, and at Maidstone, hearing of the duke of Buckingham's misfortunes, despaired of success, and immediately dispersed themselves.

October.

Buckingham executed.

The marquis of Dorset, and the bishop of Ely, made their

<sup>1</sup> Hist. Croyl. cont. p. 568.

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escape beyond sea: many others were equally fortunate: several fell into Richard's hands, of whom he made some examples. His executions seem not to have been remarkably severe; though we are told of one gentleman, William Colingbourne, who suffered under colour of this rebellion; but, in reality, for a distich of quibbling verses, which he had composed against Richard and his ministers.<sup>1</sup> The earl of Richmond, in concert with his friends, had set sail from St. Malo's, carrying on board a body of five thousand men, levied in foreign parts; but his fleet being at first driven back by a storm, he appeared not on the coast of England till after the dispersion of all his friends; and he found himself obliged to return to the court of Brittany.

1484.  
23d of Jan.

The king, every where triumphant, and fortified by this unsuccessful attempt to dethrone him, ventured, at last, to summon a parliament; a measure which his crimes and flagrant usurpation had induced him hitherto to decline. Though it was natural that the parliament, in a contest of national parties, should always adhere to the victor, he seems to have apprehended, lest his title, founded on no principle, and supported by no party, might be rejected by that assembly. But his enemies, being now at his feet, the parliament had no choice left but to recognise his authority, and acknowledge his right to the crown. His only son, Edward, then a youth of twelve years of age, was created prince of Wales: the duties of tonnage and poundage were granted to the king for life: and Richard, in order to reconcile the nation to his government, passed some popular laws, particularly one against the late practice of extorting money on pretence of benevolence.

All the other measures of the king tended to the same object. Sensible that the only circumstance which could give him security, was to gain the confidence of the Yorkists, he paid court to the queen dowager with such art and address, made such earnest protestations of his sincere good will and friendship, that this princess, tired of confinement, and despairing of any success from her former projects, ventured to leave the sanctuary, and to put herself and her daughters into the hands of the tyrant. But he soon carried farther his views, for the establishment of his throne. He had married Anne, the second daughter of the earl of Warwick, and widow of Edward, prince of Wales, whom Richard, himself, had murdered; but this princess, having borne him but one son, who died about this time, he considered her as an invincible obstacle to the settlement of his fortune, and he was believed to have carried her off by poison; a crime for

<sup>1</sup> The lines were:

*The Rat, the Cat, and Lovel, that Dog,  
Rule all England under the Hog.*

Alluding to the names of Ratchiffe and Catesby; and to Richard's arms, which were a boar.



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which the public could not be supposed to have any solid proof, but which the usual tenor of his conduct made it reasonable to suspect. He now thought it in his power to remove the chief perils which threatened his government. The earl of Richmond, he knew, could never be formidable but from his projected marriage with the princess Elizabeth, the true heir of the crown; and he, therefore, intended, by means of a papal dispensation, to espouse, himself, this princess, and thus to unite in his own family their contending titles. The queen dowager, eager to recover her lost authority, neither scrupled this alliance, which was very unusual in England, and was regarded as incestuous, nor felt any horror at marrying her daughter to the murderer of her three sons, and of her brother: she even joined so far her interests, with those of the usurper, that she wrote to all her partisans, and, among the rest, to her son, the marquis of Dorset, desiring them to withdraw from the earl of Richmond; an injury which the earl could never afterwards forgive: the court of Rome was applied to, for a dispensation: Richard thought that he could easily defend himself, during the interval, till it arrived; and he had, afterwards, the agreeable prospect of a full and secure settlement. He flattered himself that the English nation, seeing all danger removed of a disputed succession, would then acquiesce under the dominion of a prince, who was of mature years, of great abilities, and of a genius qualified for government; and that they would forgive him all the crimes which he had committed in paving his way to the throne.

But the crimes of Richard were so horrid, and so shocking to humanity, that the natural sentiments of men, without any political or public views, were sufficient to render his government unstable; and every person of probity and honour was earnest to prevent the sceptre from being any longer polluted by that bloody and faithless hand which held it. All the exiles flocked to the earl of Richmond, in Brittany, and exhorted him to hasten his attempt for a new invasion, and to prevent the marriage of the princess Elizabeth, which must prove fatal to all his hopes. The earl, sensible of the urgent necessity, but dreading the treachery of Peter Landais, who had entered into a negotiation with Richard for betraying him, was obliged to attend only to his present safety; and he made his escape to the court of France. The ministers of Charles VIII. who had now succeeded to the throne, after the death of his father Lewis, gave him countenance and protection; and being desirous of raising disturbance to Richard, they secretly encouraged the earl in the levies which he made for the support of his enterprise upon England. The earl of Oxford, whom Richard's suspicions had thrown into confinement, having made his escape, here joined Henry; and inflamed his ardour for the attempt, by the favourable accounts which he brought of the dispositions of the English nation, and their universal hatred of Richard's crimes and usurpation.

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1485.

Invasion by  
the earl of  
Richmond,  
7th Aug.

The earl of Richmond set sail from Harfleur, in Normandy, with a small army, of about two thousand men; and after a navigation of six days, he arrived at Milford-haven, in Wales, where he landed without opposition. He directed his course to that part of the kingdom, in hopes that the Welch, who regarded him as their countryman, and who had been already prepossessed in favour of his cause, by means of the duke of Buckingham, would join his standard, and enable him to make head against the established government. Richard, who knew not in what quarter he might expect the invader, had taken post at Nottingham, in the centre of the kingdom: and, having given commissions to different persons, in the several counties, whom he empowered to oppose his enemy, he purposed, in person, to fly, on the first alarm, to the place exposed to danger. Sir Rice ap-Thomas, and Sir Walter Herbert, were entrusted with his authority in Wales: but the former immediately deserted to Henry; the second made but feeble opposition to him: and the earl, advancing towards Shrewsbury, received every day some reinforcement from his partisans. Sir Gilbert Talbot joined him, with all the vassals and retainers of the family of Shrewsbury: Sir Thomas Bourchier, and Sir Walter Hungerford, brought their friends to share his fortunes; and the appearance of men of distinction in his camp made already his cause wear a favourable aspect.

But the danger to which Richard was chiefly exposed, proceeded not so much from the zeal of his open enemies, as from the infidelity of his pretended friends. Scarce any nobleman of distinction was sincerely attached to his cause, except the duke of Norfolk; and all those who feigned the most loyalty were only watching for an opportunity to betray and desert him. But the persons of whom he entertained the greatest suspicion, were lord Stanley, and his brother, Sir William; whose connexions with the family of Richmond, notwithstanding their professions of attachment to his person, were never entirely forgotten or overlooked by him. When he empowered lord Stanley to levy forces, he still retained his eldest son, lord Strange, as a pledge for his fidelity; and that nobleman was, on this account, obliged to employ great caution and reserve in his proceedings. He raised a powerful body of his friends and retainers in Cheshire and Lancashire, but without openly declaring himself; and though Henry had received secret assurances of his friendly intentions, the armies, on both sides, knew not what to infer from his equivocal behaviour. The two rivals, at last, approached each other, at Bosworth, near Leicester; Henry, at the head of six thousand men; Richard, with an army of above double the number; and a decisive action was, every hour, expected between them. Stanley, who commanded above seven thousand men, took care to post himself at Atherstone, not far from the hostile camps; and he made such a disposition as enabled him, on occasion, to join either party. Richard had

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Battle of  
Bosworth.

too much sagacity not to discover his intentions, from those movements, but he kept the secret from his own men, for fear of discouraging them: he took not immediate revenge on Stanley's son, as some of his courtiers advised him; because he hoped, that so valuable a pledge would induce the father to prolong, still farther, his ambiguous conduct: and he hastened to decide, by arms, the quarrel with his competitor; being certain, that a victory over the earl of Richmond would enable him to take ample revenge on all his enemies, open and concealed.

The van of Richmond's army, consisting of archers, was commanded by the earl of Oxford; Sir Gilbert Talbot led the right wing; Sir John Savage the left: the earl, himself, accompanied by his uncle, the earl of Pembroke, placed himself in the main body. Richard, also, took post in *his* main body, and entrusted the command of his van to the duke of Norfolk: as his wings, were never engaged, we have not learned the names of several commanders. Soon after the battle began, lord Stanley, whose conduct, in this whole affair, discovers great precaution and abilities, appeared in the field, and declared for the earl of Richmond. This measure, which was unexpected to the men, though not to their leaders, had a proportional effect on both armies: it inspired unusual courage into Henry's soldiers; it threw Richard's into dismay and confusion. The intrepid tyrant, sensible of his desperate situation, cast his eye around the field, and, descrying his rival, at no great distance, he drove against him with fury, in hopes that either Henry's death or his own, would decide the victory between them. He killed, with his own hands, Sir William Brandon, standard-bearer to the earl: he dismounted Sir John Cheyney: he was now within reach of Richmond himself, who declined not the combat; when Sir William Stanley, breaking in with his troops, surrounded Richard, who, fighting bravely, to the last moment, was overwhelmed by numbers, and perished by a fate too mild and honourable, for his multiplied and detestable enormities. His men, every where, sought for safety, by flight.

Death,

There fell, in this battle, about four thousand of the vanquished; and among these the duke of Norfolk, lord Ferrars of Chartley, Sir Richard Ratcliffe, Sir Robert Piercy, and Sir Robert Brakenbury. The loss was inconsiderable, on the side of the victors. Sir William Catesby, a great instrument of Richard's crimes, was taken, and soon after beheaded, with some others, at Leicester. The body of Richard was found in the field, covered with dead enemies, and all besmeared with blood: it was thrown carelessly across a horse; was carried to Leicester, amidst the shouts of the insulting spectators; and was interred in the Gray-Friars church of that place.

The historians, who favoured Richard (for even this tyrant has met with partisans among the later writers) maintain, that he was well qualified for government, had he legally obtained it; and that

and character of Richard III.

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he committed no crimes, but such as were necessary to procure him possession of the crown; but this is a poor apology, when it is confessed that he was ready to commit the most horrid crimes, which appeared necessary for that purpose; and it is certain, that all his courage and capacity, qualities in which he really seems not to have been deficient, would never have made compensation to the people, for the danger of the precedent, and for the contagious example of vice and murder, exalted upon the throne. This prince was of a small stature, hump-backed, and had a harsh, disagreeable countenance; so that his body was, in every particular, no less deformed than his mind.

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Thus we have pursued the history of England, through a series of many barbarous ages, till we have, at last, reached the dawn of civility and science, and have the prospect both of greater certainty in our historical narrations, and of being able to present to the reader, a spectacle more worthy of his attention. The want of certainty, however, and of circumstances, is not alike to be complained of throughout every period of this long narration. This island possesses many ancient historians of good credit, as well as many historical monuments; and it is rare, that the annals of so uncultivated a people, as were the English, as well as the other European nations, after the decline of Roman learning, have been transmitted to posterity so complete, and with so little mixture of falsehood and of fable. This advantage we owe, entirely to the clergy of the church of Rome; who, founding their authority on their superior knowledge, preserved the precious literature of antiquity from a total extinction;\* and, under shelter of their numerous privileges and immunities, acquired a security, by means of the superstition, which they would, in vain, have claimed from the justice and humanity of those turbulent and licentious ages. Nor is the spectacle altogether unentertaining and uninteresting, which the history of those times presents to us. The view of human manners, in all their variety of appearances, is both profitable and agreeable; and if the aspect, in some periods, seems horrid and deformed, we may thence learn to cherish, with the greater anxiety, that science and civility, which has so close a connexion with virtue and humanity; and which, as it is a sovereign antidote against superstition, is also the most effectual remedy against vice and disorders of every kind.

The rise, progress, perfection, and decline of art and science, are curious objects of contemplation, and intimately connected with a narration of civil transactions. The events of no particular period, can be fully accounted for, but by considering the degrees of advancement which men have reached in those particulars.

\* See note [L] at the end of the volume.



Those, who cast their eye on the general revolutions of society, will find, that, as almost all improvements of the human mind had reached nearly to their state of perfection about the age of Augustus, there was a sensible decline from that point or period; and men thenceforth relapsed, gradually, into ignorance and barbarism. The unlimited extent of the Roman empire, and the consequent despotism of its monarchs, extinguished all emulation, debased the generous spirit of men, and depressed that noble flame, by which all the refined arts must be cherished and enlivened. The military government, which soon succeeded, rendered even the lives and properties of men insecure and precarious; and proved destructive to those vulgar, and more necessary arts of agriculture, manufactures, and commerce; and, in the end, to the military art and genius itself, by which, alone, the immense fabric of the empire could be supported. The irruption of the barbarous nations, which soon followed, overwhelmed all human knowledge, which was already far in its decline; and men sunk, every age, deeper into ignorance, stupidity, and superstition; till the light of ancient science and history had very nearly suffered a total extinction in all European nations.

But, there is a point of depression, as well as of exaltation, from which human affairs naturally return in a contrary direction, and beyond which they seldom pass, either in their advancement or decline. The period, in which the people of Christendom were the lowest sunk in ignorance, and consequently in disorders of every kind, may justly be fixed at the eleventh century, about the age of William the Conqueror; and, from that era, the sun of science beginning to reascend, threw out many gleams of light, which preceded the full morning, when letters were revived in the fifteenth century. The Danes, and other northern people, who had so long infested all the coasts, and even the inland parts of Europe, by their depredations, having now learned the arts of tillage and agriculture, found a certain subsistence at home, and were no longer tempted to desert their industry, in order to seek a precarious livelihood by rapine, and by the plunder of their neighbours. The feudal governments, also, among the more southern nations, were reduced to a kind of system; and though that strange species of civil polity was ill fitted to ensure either liberty or tranquillity, it was preferable to the universal license and disorder, which had every where preceded it. But, perhaps, there was no event which tended farther to the improvement of the age, than one which has not been much remarked, the accidental finding of a copy of Justinian's Pandects, about the year 1130, in the town of Amalfi, in Italy.

The ecclesiastics, who had leisure, and some inclination to study, immediately adopted, with zeal, this excellent system of jurisprudence, and spread the knowledge of it throughout every part of Europe. Besides the intrinsic merit of the performance, it was recommended to them, by its original connexions with the

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imperial city of Rome, which, being the seat of their religion, seemed to acquire a new lustre and authority, by the diffusion of its laws over the western world. In less than ten years after the discovery of the Pandects, Vacarius, under the protection of Theobald, archbishop of Canterbury, read public lectures of civil law, in the university of Oxford; and the clergy, every where, by their example, as well as exhortation, were the means of diffusing the highest esteem for this new science. That order of men, having large possessions to defend, was, in a manner, necessitated to turn their studies towards the law; and their properties, being often endangered by the violence of the princes and barons, it became their interest to enforce the observance of general and equitable rules, from which, alone, they could receive protection. As they possessed all the knowledge of the age, and were, alone, acquainted with the habits of thinking, the practice, as well as science of the law, fell mostly into their hands: and though the close connexion which, without any necessity, they formed between the canon and civil law, begat a jealousy in the laity of England, and prevented the Roman jurisprudence from becoming the municipal law of the country, as was the case in many states of Europe, a great part of it was secretly transferred into the practice of the courts of justice, and the imitation of their neighbours, made the English gradually endeavour to raise their own law, from its original state of rudeness and imperfection.

It is easy to see, what advantages Europe must have reaped, by its inheriting, at once, from the ancients, so complete an art, which was also so necessary for giving security to all other arts; and which, by refining, and still more by bestowing solidity on the judgment, served as a model for farther improvements. The sensible utility of the Roman law, both to public and private interest, recommended the study of it, at a time when the more exalted and speculative sciences carried no charms with them; and thus, the last branch of ancient literature which remained uncorrupted, was happily the first transmitted to the modern world: for it is remarkable, that in the decline of Roman learning, when the philosophers were universally infected with superstition and sophistry, and the poets and historians with barbarism, the lawyers, who, in other countries, are seldom models of science and politeness, were yet able, by the constant study and close imitation of their predecessors, to maintain the same good sense in their decisions and reasonings, and the same purity in their language and expression.

What bestowed an additional merit on the civil law, was the extreme imperfection of that jurisprudence, which preceded it among all the European nations, especially among the Saxons, or ancient English. The absurdities which prevailed at that time, in the administration of justice, may be conceived, from the authentic monuments which remain of the ancient Saxon

laws ; where a pecuniary commutation was received, for every crime ; where stated prices were fixed for men's lives and members : where private revenges were authorized for all injuries ; where the use of the ordeal, corsnet, and, afterwards, of the duel, was the received method of proof ; and, where the judges were rustic freeholders, assembled of a sudden, and deciding a cause, from one debate or altercation of the parties. Such a state of society was very little advanced beyond the rude state of nature ; violence universally prevailed, instead of general and equitable maxims : the pretended liberty of the times, was only an incapacity of submitting to government : and men, not protected by law, in their lives and properties, sought shelter, by their personal servitude and attachments, under some powerful chieftain, or by voluntary combinations.

The gradual progress of improvement, raised the Europeans somewhat above this uncultivated state ; and affairs, in this island particularly, took early a turn, which was more favourable to justice and to liberty. Civil employments and occupations soon became honourable among the English : the situation of that people, rendered not the perpetual attention to wars so necessary as among their neighbours, and all regard was not confined to the military profession : the gentry, and even the nobility, began to deem an acquaintance with the law a necessary part of education : they were less diverted than afterwards, from studies of this kind, by other sciences ; and, in the age of Henry VI. as we are told by Fortescue, there were in the inns of court, about two thousand students, most of them men of honourable birth, who gave application to this branch of civil knowledge ; a circumstance, which proves that a considerable progress was already made in the science of government, and which prognosticated a still greater.

One chief advantage which resulted from the introduction and progress of the arts, was the introduction and progress of freedom ; and this consequence affected men, both in their *personal* and *civil* capacities.

If we consider the ancient state of Europe, we shall find that the far greater part of the society were every where bereaved of their *personal* liberty, and lived entirely at the will of their masters. Every one that was not noble was a slave ; the peasants were sold along with the land ; the few inhabitants of cities were not in a better condition : even the gentry themselves were subjected to a long train of subordination under the greater barons, or chief vassals of the crown ; who, though seemingly placed in a high state of splendour, yet having but a slender protection from law, were exposed to every tempest of the state, and, by the precarious condition in which they lived, paid dearly for the power of oppressing and tyrannizing over their inferiors. The first incident, which broke in upon this violent system of government, was the practice begun in Italy, and imitated in France, of erecting



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communities and corporations, endowed with privileges, and a separate municipal government, which gave them protection against the tyranny of the barons, and which the prince himself deemed it prudent to respect.<sup>1</sup> The relaxation of the feudal tenures, and an execution, somewhat stricter, of the public law, bestowed an independence on vassals which was unknown to their forefathers. And even the peasants themselves, though later than other orders of the state, made their escape from those bonds of villanage or slavery in which they had formerly been retained.

It may appear strange, that the progress of the arts, which seems, among the Greeks and Romans, to have daily increased the number of slaves, should, in later times, have proved so general a source of liberty; but this difference in the events, proceeded from a great difference in the circumstances which attended those institutions. The ancient barons, obliged to maintain themselves continually in a military posture, and little emulous of elegance or splendour, employed not their villains as domestic servants, much less as manufacturers: but composed their retinue of freemen, whose military spirit rendered the chieftain formidable to his neighbours, and who were ready to attend him in every warlike enterprise. The villains were entirely occupied in the cultivation of their master's land, and paid their rents either in corn and cattle, and other produce of the farm, or in servile offices, which they performed about the baron's family, and upon the farms which he retained in his own possession. In proportion as agriculture improved, and money increased, it was found that these services, though extremely burdensome to the villain, were of little advantage to the master: and that the produce of a large estate, could be much more conveniently disposed of by the peasants themselves who raised it, than by the landlord, or his bailiff, who were formerly accustomed to receive it. A commutation was therefore made of rents for services, and of money rents for those in kind; and as men, in a subsequent age, discovered that farms were better cultivated, where the farmer enjoyed a security in his possession, the practice of granting leases to the peasants began to prevail, which entirely broke the bonds of servitude, already much relaxed from the former practices. After this manner, villanage went gradually into disuse throughout the more civilized parts of Europe: the interests of the master as well as that of the

<sup>1</sup> There appear early symptoms of the jealousy entertained by the barons, against the progress of the arts, as destructive of their licentious power. A law was enacted, 7 Henry IV. chap. 17. prohibiting any one who did not possess twenty shillings a year, in land, from binding his sons apprentices to any trade. They found, already, that the cities began to drain the country of their labourers and husbandmen: and did not foresee how much the increase of commerce would increase the value of their estates. See farther, Cotton. p. 179. The kings, to encourage the boroughs, granted them this privilege, that any villain, who had lived a twelvemonth in any corporation, and had been of the guild, should be thenceforth regarded as free.



slave concurred in this alteration. The latest laws which we find in England for enforcing or regulating this species of servitude, were enacted in the reign of Henry VII. And though the ancient statutes on this subject remain still unrepealed by parliament, it appears that, before the end of Elizabeth, the distinction of villain and freeman was totally, though insensibly abolished, and that no person remained in the state to whom the former laws could be applied.

Thus *personal* freedom became almost general in Europe; an advantage which paved the way for the increase of *political* or *civil* liberty, and which, even where it was not attended with this salutary effect, served to give the members of the community some of the most considerable advantages of it.

The constitution of the English government, ever since the invasion of this island by the Saxons, may boast of this pre-eminence, that in no age the will of the monarch was ever entirely absolute and uncontrolled; but in other respects the balance of the power has extremely shifted among the several orders of the state: and this fabric has experienced the same mutability that has attended all human institutions.

The ancient Saxons, like the other German nations, where each individual was inured to arms, and where the independence of men was secured by a great equality of possessions, seem to have admitted a considerable mixture of democracy into their form of government, and to have been one of the freest nations, of which there remains any account, in the records of history. After this tribe was settled in England, especially after the dissolution of the Heptarchy, the great extent of the kingdom produced a great inequality in property; and the balance seems to have inclined to the side of aristocracy. The Norman conquest threw more authority into the hands of the sovereign, which, however, admitted of great control; though derived less from the general forms of the constitution, which were inaccurate and irregular, than from the independent power enjoyed by each baron in his particular district or province. The establishment of the Great Charter exalted still higher the aristocracy, imposed regular limits on royal power, and gradually introduced some mixture of democracy into the constitution. But even during this period, from the accession of Edward I. to the death of Richard III. the condition of the commons was nowise eligible; a kind of Polish aristocracy prevailed: and though the kings were limited, the people were, as yet, far from being free. It required the authority almost absolute of the sovereigns, which took place in the subsequent period, to pull down those disorderly and licentious tyrants, who were equally averse from peace and from freedom, and to establish that regular execution of the laws, which, in a following age, enabled the people to erect a regular and equitable plan of liberty.

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In each of these successive alterations, the only rule of government, which is intelligible, or carries any authority with it, is the established practice of the age, and the maxims of administration which are at that time prevalent and universally assented to. Those who, from a pretended respect to antiquity, appeal, at every turn, to an original plan of the constitution, only cover their turbulent spirit and their private ambition, under the appearance of venerable forms: and whatever period they pitch on, for their model, they may still be carried back to a more ancient period, where they will find the measures of power entirely different, and where every circumstance, by reason of the greater barbarity of the times, will appear still less worthy of imitation. Above all, a civilized nation, like the English, who have happily established the most perfect and most accurate system of liberty, that ever was found compatible with government, ought to be cautious in appealing to the practice of their ancestors, or regarding the maxims of uncultivated ages, as certain rules for their present conduct. An acquaintance with the ancient periods of their government, is chiefly *useful*, by instructing them to cherish their present constitution, from a comparison, or contrast, with the condition of those distant times. And it is also *curious*, by showing them the remote, and commonly faint and disfigured originals of the most finished and most noble institutions, and by instructing them in the great mixture of accident, which commonly concurs with a small ingredient of wisdom and foresight, in erecting the complicated fabric of the most perfect government.

## CHAPTER XXIV.

## HENRY VII.

Accession of Henry VII.—His title to the Crown—King's prejudice against the house of York—His joyful reception in London—His Coronation—Sweating sickness—A Parliament—Entail of the Crown—King's Marriage—An Insurrection—Discontents of the People—Lambert Simnel—Revolt of Ireland—Intrigues of the dutchess of Burgundy—Lambert Simnel invades England—Battle of Stoke.

THE victory which the earl of Richmond gained at Bosworth was entirely decisive; being attended as well with the total rout and dispersion of the royal army, as with the death of the king himself. Joy for this great success suddenly prompted the soldiers, in the field of battle, to bestow on their victorious general the appellation of king, which he had not hitherto assumed; and the acclamation of *Long live Henry the Seventh!* by a natural and unpremeditated movement, resounded from all quarters. To bestow some appearance of formality on this species of military election, Sir William Stanley brought a crown of ornament, which Richard wore in battle, and which had been found among the spoils; and he put it on the head of the victor. Henry himself, remained not in suspense; but immediately, without hesitation, accepted of the magnificent present which was tendered him. He was come to the crisis of his fortune: and, being obliged suddenly to determine himself, amidst great difficulties which he must have frequently revolved in his mind, he chose that part which his ambition suggested to him, and to which he seemed to be invited by his present success.

There were many titles on which Henry could found his right to the crown; but no one of them free from great objections, if considered with respect either to justice or to policy.

During some years, Henry had been regarded as heir to the house of Lancaster, by the party attached to that family; but the title of the house of Lancaster itself, was generally thought to be very ill founded. Henry IV. who had first raised it to royal dignity, had never clearly defined the foundation of his claim; and while he plainly invaded the order of succession, he had not acknowledged the election of the people. The parliament, it is true, had often recognised the title of the Lancastrian princes; but these votes had little authority, being considered as instances of compliance towards a family in possession of present power: and they had accordingly been often reversed during the late prevalence of the house of York. Prudent men, also, who had been willing, for the sake of peace, to submit to any established authority, desired not to see the claims of that family revived; claims which must produce many convulsions at present, and which

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disjointed, for the future, the whole system of hereditary right. Besides, allowing the title of the house of Lancaster to be legal, Henry himself was not the true heir of that family; and nothing but the obstinacy, natural to faction, which never without reluctance will submit to an antagonist, could have engaged the Lancastrians to adopt the earl of Richmond as their head. His mother, indeed, Margaret, countess of Richmond, was sole daughter and heir to the duke of Somerset, sprung from John of Gaunt, duke of Lancaster: but the descent of the Somerset line was itself illegitimate, and even adulterous. And, though the duke of Lancaster had obtained the legitimation of his natural children, by a patent from Richard II. confirmed in parliament, it might justly be doubted whether this deed could bestow any title to the crown; since, in the patent itself, all the privileges conferred by it, are fully enumerated, and the succession to the kingdom is expressly excluded.<sup>1</sup> In all settlements of the crown, made during the reigns of the Lancastrian princes, the line of Somerset had been entirely overlooked; and it was not till the failure of the legitimate branch, that men had paid any attention to their claim. And, to add to the general dissatisfaction against Henry's title, his mother, from whom he derived all his right, was still alive; and evidently preceded him in the order of succession.

The title of the house of York, both from the plain reason of the case, and from the late popular government of Edward IV. had universally obtained the preference, in the sentiments of the people; and Henry might engraft his claim on the rights of that family, by his intended marriage with the princess Elizabeth, the heir of it; a marriage which he had solemnly promised to celebrate, and to the expectation of which he had chiefly owed all his past successes. But many reasons dissuaded Henry from adopting this expedient. Were he to receive the crown only in the right of his consort, his power, he knew, would be very limited; and he must expect rather to enjoy rather the bare title of king, by a sort of courtesy, than possess the real authority which belongs to it. Should the princess die before him, without issue, he must descend from the throne, and give place to the next in succession: and, even if his bed should be blest with offspring, it seemed dangerous to expect that filial piety, in his children, would prevail over the ambition of obtaining present possession of regal power. An act of parliament, indeed, might be procured, to settle the crown on him during life; but Henry knew how much superior the claim of succession, by blood, was, to the authority of an assembly,<sup>2</sup> which had always been overborne by violence, in the shock of contending titles, and which had ever been more governed by the conjunctures of the times, than by any consideration derived from reason, or public interest.

<sup>1</sup> Rymer, tom. vii. p. 849. Coke's Inst. 4 Inst. part i. p. 37. <sup>2</sup> Bacon. in Kennet's complete History, p. 579.



There was yet a third foundation, on which Henry might rest his claim, the right of conquest, by his victory over Richard, the present possessor of the crown. But, besides that Richard himself was deemed no better than an usurper, the army which fought against him, consisted chiefly of Englishmen; and a right of conquest over England could never be established by such a victory. Nothing, also, would give greater umbrage to the nation, than a claim of this nature; which might be construed as an abolition of all their rights and privileges, and the establishment of absolute authority in the sovereign.<sup>1</sup> William himself, the Norman, though at the head of a powerful and victorious army of foreigners, had, at first, declined the invidious title of conqueror; and it was not till the full establishment of his authority, that he had ventured to advance so violent and destructive a pretension.

But Henry was sensible that there remained another foundation of power, somewhat resembling the right of conquest, namely, present possession; and that this title, guarded by vigour and abilities, would be sufficient to secure perpetual possession of the throne. He had, before him, the example of Henry IV. who, supported by no better pretensions, had subdued many insurrections, and had been able to transmit the crown, peaceably, to his posterity. He could perceive that this claim, which had been perpetuated through three generations of the family of Lancaster, might still have subsisted, notwithstanding the preferable title of the house of York, had not the sceptre devolved into the hands of Henry VI. which were too feeble to sustain it. Instructed by this recent experience, Henry was determined to put himself in possession of legal authority; and to show all opponents that nothing, but force of arms, and a successful war, should be able to expel him. His claim, as heir to the house of Lancaster, he was resolved to advance; and never allowed to be discussed: and he hoped that this right, favoured by the partisans of that family, and seconded by present power, would secure him a perpetual and an independent authority.

These views of Henry are not exposed to much blame; because founded on good policy, and even on a species of necessity: but there entered into all his measures and counsels another motive, which admits not of the same apology. The violent contentions which, during so long a period, had been maintained between the rival families, and the many sanguinary revenges which they had alternately taken on each other, had inflamed the opposite factions to a high pitch of animosity. Henry himself, who had seen most of his near friends and relations perish in battle, or by the executioner, and who had been exposed, in his own person, to many hardships and dangers, had imbibed a violent antipathy to the York party, which no time or experience were ever able to efface. Instead of embracing the present happy oppor-

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<sup>1</sup> Bacon, p. 579.

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tunity of abolishing these fatal distinctions, of uniting his title with that of his consort, and of bestowing, indiscriminately, on the friends of both families, he carried to the throne all the partialities which belong to the head of a faction, and even the passions, which are carefully guarded against, by every true politician, in that situation. To exalt the Lancastrian party, to depress the adherents of the house of York, were still the favourite objects of his pursuit; and, through the whole course of his reign, he never forgot these early prepossessions. Incapable, from his natural temper, of a more enlarged, and more benevolent system of policy, he exposed himself to many present inconveniences, by too anxiously guarding against that future possible event, which might disjoin his title from that of the princess whom he espoused. And, while he treated the Yorkists as enemies, he soon rendered them such, and taught them to discuss that right to the crown, which he so carefully kept separate; and to perceive its weakness and invalidity.

To these passions of Henry, as well as to his suspicious politics, we are to ascribe the measures which he embraced two days after the battle of Bosworth. Edward Plantagenet, earl of Warwick, son of the duke of Clarence, was detained in a kind of confinement, at Sheriff-Hutton, in Yorkshire, by the jealousy of his uncle, Richard; whose title to the throne was inferior to that of the young prince. Warwick had now reason to expect better treatment, as he was no obstacle to the succession either of Henry or Elizabeth; and, from a youth of such tender years, no danger could reasonably be apprehended. But Sir Robert Willoughby was despatched by Henry, with orders to take him from Sheriff-Hutton, to convey him to the Tower, and to detain him in close custody.<sup>1</sup> The same messenger carried directions, that the princess Elizabeth, who had been confined to the same place, should be conducted to London, in order to meet Henry, and there celebrate her nuptials.

Henry himself set out for the capital, and advanced, by slow journies. Not to rouse the jealousy of the people, he took care to avoid all appearance of military triumph; and so to restrain the insolence of victory, that every thing about him bore the appearance of an established monarch, making a peaceable progress through his dominions, rather than of a prince who had opened his way to the throne by force of arms. The acclamations of the people were every where loud, and no less sincere and hearty. Besides that, a young and victorious prince, on his accession, was, naturally, the object of popularity; the nation promised themselves great felicity, from the new scene which opened before them. During the course of near a whole century, the kingdom had been laid waste by domestic wars and convulsions; and if, at any time, the noise of arms had ceased, the sound of faction

His joyful  
reception  
in London.

<sup>1</sup> Bacon, p. 579. Polydore Virgil, p. 565.

and discontent still threatened new disorders. Henry, by his marriage with Elizabeth, seemed to ensure a union of the contending titles of the two families; and, having prevailed over a hated tyrant, who had anew disjoined the succession, even of the house of York, and had filled his own family with blood and murder, he was every where attended with the unfeigned favour of the people. Numerous and splendid troops of gentry and nobility accompanied his progress. The mayor and companies of London, received him as he approached the city: the crowds of people and citizens were zealous in their expressions of satisfaction. But Henry, amidst this general effusion of joy, discovered still the stateliness and reserve of his temper, which made him scorn to court popularity: he entered London in a close chariot, and would not gratify the people with a sight of their new sovereign.

But the king did not so much neglect the favour of the people, as to delay giving them assurances of his marriage with the princess Elizabeth, which he knew to be so passionately desired by the nation. On leaving Brittany, he had artfully dropped some hints, that, if he succeeded in his enterprise, and obtained the crown of England, he would espouse Anne, the heir of that dutchy; and the report of this engagement had already reached England, and had begotten anxiety in the people, and even Elizabeth herself. Henry took care to dissipate these apprehensions, by solemnly renewing, before the council and principal nobility, the promise, which he had already given, to celebrate his nuptials with the English princess. But, though bound by honour, as well as by interest, to complete this alliance, he was resolved to postpone it, till the ceremony of his own coronation should be finished, and till his title should be recognised by parliament. His coronation. Still anxious to support his personal and hereditary right to the throne, he dreaded lest a preceding marriage, with the princess, should imply a participation of sovereignty in her, and raise doubts of his own title by the house of Lancaster.

There raged, at that time, in London, and other parts of the kingdom, a species of malady, unknown to any other age or nation, the sweating sickness, which occasioned the sudden death of great multitudes, though it seemed not to be propagated by any contagious infection, but arose from the general disposition of the air, and of the human body. In less than twenty-four hours, the patient commonly died or recovered; but, when the pestilence had exerted its fury, for a few weeks, it was observed, either from alterations in the air, or from a more proper regimen, which had been discovered, to be considerably abated.<sup>1</sup> Preparations were then made for the ceremony of Henry's coronation. In order to heighten the splendour of that spectacle, he bestowed the rank of knight banneret on twelve persons; and he conferred

<sup>1</sup> Polydore Virgil, p. 567.

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peerages on three. Jasper, earl of Pembroke, his uncle, was created duke of Bedford; Thomas, lord Stanley, his father-in-law, earl of Derby; and Edward Courtney, earl of Devonshire. At the coronation, likewise, there appeared a new institution, which the king had established, for security, as well as pomp, a band of fifty archers, who were termed yeoman of the guard. But lest the people should take umbrage at this unusual symptom of jealousy in the prince, as if it implied a personal diffidence of his subjects, he declared the institution to be perpetual. The ceremony of coronation was performed by cardinal Bouchier, archbishop of Canterbury.

7th Nov.  
A parliament.

The parliament being assembled at Westminster, the majority immediately appeared to be devoted partisans of Henry; all persons of another disposition, either declining to stand in those dangerous times, or being obliged to dissemble their principles and inclinations. The Lancastrian party had, every where, been successful in the elections; and even many had been returned, who, during the prevalence of the house of York, had been exposed to the rigour of the law, and had been condemned by sentence of attainder and outlawry. Their right to take seats in the house being questioned, the case was referred to all the judges, who assembled in the exchequer chamber, in order to deliberate on so delicate a subject. The opinion delivered was prudent, and contained a just temperament, between law and expediency.<sup>1</sup> The judges determined, that the members attainted should forbear taking their seats, till an act were passed for the reversal of their attainder. There was no difficulty in obtaining this act; and in it were comprehended a hundred and seven persons of the king's party.<sup>2</sup>

But, a scruple was started, of a nature still more important. The king himself had been attainted; and his right of succession to the crown might thence be exposed to some doubt. The judges extricated themselves from this dangerous question, by asserting it as a maxim; "That the crown takes away all defects, and stops in blood; and that, from the time the king assumed royal authority, the fountain was cleared, and all attainders and corruptions of blood discharged."<sup>3</sup> Besides that the case, from its urgent necessity, admitted of no deliberation, the judges, probably, thought that no sentence of a court judicature had authority sufficient to bar the right of succession; that the heir of the crown was, commonly, exposed to such jealousy, as might often occasion stretches of law and justice against him: and, that a prince might even be engaged in unjustifiable measures, during his predecessor's reign, without meriting, on that account, to be excluded from the throne, which was his birthright.

<sup>1</sup> Bacon, p. 581.    <sup>2</sup> Rot. Parl. 1 Hen. VII. n. 2, 3, 4—15, 17, 26—65.  
<sup>3</sup> Bacon, p. 581.



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With a parliament so obsequious, the king could not fail of obtaining whatever act of settlement he was pleased to require. He seems only to have entertained some doubt, within himself, on what claim he should found his pretensions. In his speech to the parliament, he mentioned his just title, by hereditary right: but, lest that title should not be esteemed sufficient, he subjoined his claim by the judgment of God, who had given him victory over his enemies. And again, lest this pretension should be interpreted as assuming a right of conquest, he ensured to his subjects the full enjoyment of their former properties and possessions.

The entail of the crown was drawn according to the sense of the king, and, probably, in words dictated by him. He made no mention in it of the princess Elizabeth, nor of any branch of her family; but, in other respects, the act was compiled with sufficient reserve and moderation. He did not insist that it should contain a declaration, or recognition of his preceding right: as, on the other hand, he avoided the appearance of a new law, or ordinance. He chose a middle course, which, as is generally unavoidable in such cases, was not entirely free from uncertainty and obscurity. It was voted, "that the inheritance of the crown should rest, remain, and abide in the king;"<sup>1</sup> but whether, as rightful heir, or only as present possessor, was not determined. In like manner, Henry was contented that the succession should be secured to the heirs of his body; but he pretended not, in case of their failure, to exclude the house of York, or give the preference to that of Lancaster: he left that great point ambiguous for the present, and trusted that, if it should ever become requisite to determine it, future incidents would open the way for the decision.

But, even after all these precautions, the king was so little satisfied with his own title, that, in the following year, he applied to papal authority for a confirmation of it; and, as the court of Rome gladly laid hold of all opportunities which the imprudence, weakness, or necessities of princes, afforded it to extend its influence, Innocent VIII. the reigning pope, readily granted a bull in whatever terms the king was pleased to desire. All Henry's titles, by succession, marriage, parliamentary choice, even conquest, are there enumerated; and, to the whole, the sanction of religion is added; excommunication is denounced against every one who should either disturb him in the present possession, or the heirs of his body in the future succession of the crown; and, from this penalty no criminal, except in the article of death, could be absolved, but by the pope himself, or his special commissioners. It is difficult to imagine that the security derived from this bull, could be a compensation for the defect which it betrayed in Henry's title, and of the danger for thus inviting the pope to interpose in these concerns.

<sup>1</sup> Bacon, p. 581.

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It was natural, and even laudable in Henry, to reverse the attainders which had passed against the partisans of the house of Lancaster: but the revenges which he exercised against the adherents of the York family, to which he was so soon to be allied, cannot be considered in the same light. Yet the parliament, at his instigation, passed an act of attainder against the late king himself, against the duke of Norfolk, the earl of Surrey, viscount Lovel, the lords Zouche, and Ferrars of Chartley, Sir Walter and Sir James Harrington, Sir William Berkeley, Sir Humphrey Stafford, Catesby, and about twenty other gentlemen, who had fought on Richard's side in the battle of Bosworth. How men could be guilty of treason, by supporting the king in possession, against the earl of Richmond, who assumed not the title of king, it is not easy to conceive; and nothing but a servile complaisance in the parliament, could have engaged them to make this stretch of justice. Nor was it a small mortification to the people in general, to find that the king, prompted either by avarice or resentment, could, in the very beginning of his reign, so far violate the cordial union which had previously been concerted between the parties, and to the expectation of which he had plainly owed his succession to the throne.

The king, having gained so many points of consequence from the parliament, thought it not expedient to demand any supply from them, which the profound peace enjoyed by the nation, and the late forfeiture of Richard's adherents, seemed to render somewhat superfluous. The parliament, however, conferred on him, during life, the duty of tonnage and poundage, which had been enjoyed in the same manner by some of his immediate predecessors; and they added, before they broke up, other money bills, of no great moment. The king, on his part, made returns of grace and favour to his people. He published his royal proclamation, offering pardon to all such as had taken arms, or formed any attempts against him; provided they submitted themselves to mercy by a certain day, and took the usual oath of fealty and allegiance. Upon this proclamation, many came out of their sanctuaries; and the minds of men were every where much quieted. Henry chose to take wholly to himself the merit of an act of grace, so agreeable to the nation, rather than communicate it with the parliament (as was his first intention) by passing a bill to that purpose. The earl of Surrey, however, though he had submitted, and delivered himself into the king's hands, was sent prisoner to the Tower.

During this parliament, the king also bestowed favours and honours on some particular persons, who were attached to him. Edward Stafford, eldest son of the duke of Buckingham, attainted in the late reign, was restored to the honours of his family, as well as to its fortune, which was very ample. This generosity, so unusual in Henry, was the effect of his gratitude to the memory of Buckingham, who had first concerted the plan of his elevation, and who, by his own ruin, had made way for that great

event. Chandos, of Brittany, was created earl of Bath, Sir Giles Daubeny, lord Daubeny, and Sir Robert Willoughby, lord Broke. These were all the titles of nobility conferred by the king, during this session of parliament.<sup>1</sup>

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But the ministers whom Henry most trusted and favoured, were not chosen from among the nobility, or even from among the laity. John Morton and Sir Richard Fox, two clergymen, persons of industry, vigilance, and capacity, were the men to whom he chiefly confided his affairs and secret counsels. They had shared with him all his former dangers and distresses; and he now took care to make them participate in his good fortune. They were both called to the privy council; Morton was restored to the bishopric of Ely, Fox was created bishop of Exeter. The former, soon after, upon the death of Bourchier, was raised to the see of Canterbury. The latter was made privy seal; and successively bishop of Bath and Wells, Durham and Winchester. For Henry, as lord Bacon observes, loved to employ and advance prelates; because, having rich bishoprics to bestow, it was easy for him to reward their services: and it was his maxim, to raise them by slow steps, and make them first pass through the inferior sees.<sup>2</sup> He probably expected, that, as they were naturally more dependent on him than the nobility, who, during that age, enjoyed possessions and jurisdictions dangerous to royal authority; so the prospect of farther elevation would render them still more active in his service, and more obsequious to his commands.

In presenting the bill of tonnage and poundage, the parliament, 1486.  
anxious to preserve the legal, undisputed succession to the crown, 18th Jan.  
had petitioned Henry, with demonstrations of the greatest zeal, to espouse the princess Elizabeth; but they covered their true reason, under the dutiful pretence of their desire to have heirs of his body. He now thought, in earnest, of satisfying the minds of his people in that particular. His marriage was celebrated at London, and that with greater appearance of universal joy, than either his first entry or his coronation. Henry remarked, with much displeasure, this general favour borne to the house of York. King's marriage.  
The suspicions which arose from it, not only disturbed his tranquillity during his whole reign, but bred disgust towards his consort herself, and poisoned all his domestic enjoyments. Though virtuous, amiable, and obsequious, to the last degree, she never met with a proper return of affection, or even of complaisance, from her husband; and the malignant ideas of faction, still, in his sullen mind, prevailed over all the sentiments of conjugal tenderness.

The king had been carried along, with such a tide of success, ever since his arrival in England, that he thought nothing could withstand the fortune and authority which attended him. He now resolved to make a progress into the north, where the friends

<sup>1</sup> Polyd. Virg. p. 566. <sup>2</sup> Bacon, p. 582.

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An insur-  
rection.

of the house of York, and even the partisans of Richard, were numerous; in hopes of curing, by his presence and conversation, the prejudices of the malcontents. When he arrived at Nottingham, he heard that viscount Lovel, with Sir Humphrey Stafford, and Thomas, his brother, had secretly withdrawn themselves from their sanctuary at Colchester: but this news appeared not to him of such importance as to stop his journey; and he proceeded forward to York. He there heard, that the Staffords had levied an army, and were marching to besiege the city of Worcester: and that Lovel, at the head of three or four thousand men, was approaching to attack him in York. Henry was not dismayed with this intelligence. His active courage, full of resources, immediately prompted him to find the proper remedy. Though surrounded with enemies, in these disaffected counties, he assembled a small body of troops, in whom he could confide; and he put them under the command of the duke of Bedford. He joined to them all his own attendants; but he found that this hasty armament was more formidable, by their spirit and their zealous attachment to him, than by the arms or military stores with which they were provided. He, therefore, gave Bedford orders, not to approach the enemy; but, previously, to try every proper expedient to disperse them. Bedford published a general promise of pardon to the rebels; which had a greater effect on their leader than on his followers. Lovel, who had undertaken an enterprise that exceeded his courage and capacity, was so terrified with the fear of desertion among his troops, that he suddenly withdrew himself; and, after lurking some time in Lancashire, he made his escape into Flanders, where he was protected by the dutchess of Burgundy. His army submitted to the king's clemency; and the other rebels, hearing of this success, raised the siege of Worcester, and dispersed themselves. The Staffords took sanctuary in the church of Colpham, a village near Abingdon; but as it was found that this church had not the privilege of giving protection to rebels, they were taken thence: the elder was executed at Tyburn; the younger, pleading that he had been misled by his brother, obtained a pardon.<sup>1</sup>

20th Sept.

Henry's joy for this success was followed, some time after, by the birth of a prince, to whom he gave the name of Arthur, in memory of the famous British king of that name, from whom, it was pretended, the family of Tudor derived its descent.

Discon-  
tents of  
the peo-  
ple.

Though Henry had been able to defeat this hasty rebellion, raised by the relics of Richard's partisans, his government was become, in general, unpopular: the source of public discontent arose, chiefly, from his prejudices against the house of York, which was generally beloved by the nation, and which, for that very reason, became, every day, more the object of his hatred and jealousy. Not only a preference, on all occasions, it was observed, was given to the Lancastrians, but many of the opposite

<sup>1</sup> Polyd. Virg. p. 569.



party had been exposed to great severity, and had been bereaved of their fortunes, by acts of attainder. A general resumption, likewise, had passed, of all the grants made by the princes of the house of York; and, though this rigour had been covered under the pretence, that the revenue was become insufficient to support the dignity of the crown; and though the grants, during the later years of Henry VI. were resumed by the same law, yet the York party, as they were the principal sufferers by the resumption, thought it chiefly levelled against them. The severity exercised against the earl of Warwick, begat compassion for youth and innocence exposed to such oppression; and his confinement in the Tower, the very place where Edward's children had been murdered by their uncle, made the public expect a like catastrophe for him, and led them to make a comparison between Henry and that detested tyrant. And, when it was remarked, that the queen herself met with harsh treatment, and, even after the birth of a son, was not admitted to the honour of a public coronation, Henry's prepossessions were then concluded to be inveterate, and men became equally obstinate in their disgust to his government. Nor was the manner and address of the king calculated to cure these prejudices, contracted against his administration; but had, in every thing, a tendency to promote fear, or, at best, reverence, rather than good will and affection.<sup>1</sup> While the high idea entertained of his policy and vigour, retained the nobility and men of character in obedience; the effects of his unpopular government soon appeared, by incidents of an extraordinary nature.

There lived, in Oxford, one Richard Simon, a priest, who possessed some subtlety, and still more enterprise and temerity. This man had entertained the design of disturbing Henry's government, by raising a pretender to his crown; and, for that purpose, he cast his eyes on Lambert Simnel, a youth of fifteen years of age, who was son of a baker, and who, being endowed with understanding above his years, and address above his condition, seemed well fitted to personate a prince of royal extraction. A report had been spread among the people, and received with great avidity, that Richard, duke of York, second son of Edward IV. had, by a secret escape, saved himself from the cruelty of his uncle, and lay somewhere concealed in England. Simon, taking advantage of this rumour, had at first instructed his pupil to assume that name, which he found to be so fondly cherished by the public: but hearing, afterwards, a new report, that Warwick had made his escape from the Tower, and observing that this news was attended with no less general satisfaction, he changed the plan of his imposture, and made Simnel personate that unfortunate prince.<sup>2</sup> Though the youth was qualified, by nature, for the part which he was instructed to act; yet was it remarked, that he was better informed in circumstances relating to the royal family, particularly in the adventures of the earl of Warwick.

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Lambert  
Simnel.

<sup>1</sup> Bacon, p. 583. <sup>2</sup> Polyd. Virg. p. 569, 570.

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than he could be supposed to have learned from one of Simon's condition: and it was thence conjectured, that persons of higher rank, partisans of the house of York, had laid the plan of this conspiracy, and had conveyed proper instructions to the actors. The queen dowager herself was exposed to suspicion; and it was, indeed, the general opinion, however unlikely it might seem, that she had secretly given her consent to the imposture. This woman was of a very restless disposition. Finding that, instead of receiving the reward of her services, in contributing to Henry's elevation, she herself was fallen into absolute insignificance, her daughter treated with severity, and all her friends brought under subjection, she had conceived the most violent animosity against him, and had resolved to make him feel the effects of her resentment. She knew that the impostor, however successful, might easily, at last, be set aside; and, if a way could be found, at his risk, to subvert the government, she hoped that a scene might be opened, which, though difficult at present exactly to foresee, would gratify her revenge, and be, on the whole, less irksome to her than that slavery and contempt, to which she was now reduced.<sup>1</sup>

But whatever care Simon might take to convey instruction to his pupil, Simnel, he was sensible that the imposture would not bear a close inspection; and he was, therefore, determined to open the first public scene of it in Ireland. That island, which was zealously attached to the house of York, and bore an affectionate regard to the memory of Clarence, Warwick's father, who had been their lieutenant, was improvidently allowed, by Henry, to remain in the same condition in which he found it; and all the counsellors and officers, who had been appointed by his predecessors, still retained their authority. No sooner did Simnel present himself to Thomas Fitzgerald, earl of Kildare, the deputy, and claim his protection as the unfortunate Warwick, than that credulous nobleman, not suspecting so bold an imposture, gave attention to him, and began to consult some persons of rank, with regard to this extraordinary incident. These he found even more sanguine in their zeal and belief than himself: and in proportion as the story diffused itself among those of lower condition, it became the object of still greater passion and credulity, till the people in Dublin, with one consent, tendered their allegiance to Simnel, as to the true Plantagenet. Fond of a novelty, which flattered their natural propension, they overlooked the daughters of Edward IV. who stood before Warwick in the order of succession; they paid the pretended prince attendance as their sovereign, lodged him in the castle of Dublin, crowned him with a diadem, taken from a statue of the Virgin, and publicly proclaimed him king, by the appellation of Edward VI. The whole island followed the example of the capital; and not a sword was any where, drawn in Henry's quarrel.

Revolt of  
Ireland.

<sup>1</sup> Polyd. Virg. p. 570.

When this intelligence was conveyed to the king, it reduced him to some perplexity. Determined always to face his enemies in person, he yet scrupled, at present, to leave England, where he suspected the conspiracy was first framed, and where he knew many persons of condition, and the people in general, were much disposed to give it countenance. In order to discover the secret source of the contrivance, and take measures against this open revolt, he held frequent consultations with his ministers and counsellors, and laid plans for a vigorous defence of his authority, and the suppression of his enemies.

The first event, which followed these deliberations, gave surprise to the public: it was the seizure of the queen dowager, the forfeiture of all her lands and revenue, and the close confinement of her person in the nunnery of Bermondsey. This act of authority was covered with a very thin pretence. It was alleged, that, notwithstanding the secret agreement to marry her daughter to Henry, she had yet yielded to the solicitations and menaces of Richard, and had delivered that princess and her sisters into the hands of the tyrant. This crime, which was now become obsolete, and might admit of alleviations, was therefore suspected not to be the real cause of the severity with which she was treated; and men believed that the king, unwilling to accuse so near a relation of a conspiracy against him, had cloaked his vengeance or precaution under colour of an offence known to the whole world.<sup>1</sup> They were afterwards the more confirmed in this suspicion, when they found that the unfortunate queen, though she survived this disgrace several years, was never treated with any more lenity, but was allowed to end her life in poverty, solitude, and confinement.

The next measure of the king's, was of a less exceptionable nature. He ordered, that Warwick should be taken from the Tower, be led in procession through the streets of London, be conducted to St. Paul's, and there exposed to the view of the whole people. He even gave directions, that some men of rank, attached to the house of York, and best acquainted with the person of this prince, should approach him, and converse with him: and he trusted that these, being convinced of the absurd imposture of Simnel, would put a stop to the credulity of the populace. The expedient had its effect in England: but, in Ireland, the people still persisted in their revolt, and zealously retorted on the king the reproach of propagating an imposture, and of having shown a counterfeit Warwick to the public.

Henry had soon reason to apprehend, that the design against him was not laid on such slight foundations as the absurdity of the contrivance seemed to indicate. John, earl of Lincoln, son of John de la Pole, duke of Suffolk, and of Elizabeth, eldest sister to Edward IV. was engaged to take part in the conspiracy. This

<sup>1</sup> Bacon, p. 583. Polyd. Virg. p. 571.

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nobleman, who possessed capacity and courage, had entertained very aspiring views; and his ambition was encouraged by the known intentions of his uncle, Richard, who had formed a design, in case he himself should die without issue, of declaring Lincoln successor to the crown. The king's jealousy against all eminent persons of the York party, and his rigour towards Warwick, had farther struck Lincoln with apprehensions, and made him resolve to seek for safety in the most dangerous counsels. Having fixed a secret correspondence with Sir Thomas Broughton, a man of great interest in Lancashire, he retired to Flanders, where Lovel had arrived a little before him; and he lived, during some time, in the court of his aunt, the dutchess of Burgundy, by whom he had been invited over.

Intrigues  
of the  
dutchess  
of Bur-  
gundy.

Margaret, widow of Charles the Bold, duke of Burgundy, not having any children of her own, attached herself with an entire friendship to her daughter-in-law, married to Maximilian, archduke of Austria; and, after the death of that princess, she persevered in her affection to Philip and Margaret, her children, and occupied herself in the care of their education, and of their persons. By her virtuous conduct and demeanour, she had acquired great authority among the Flemings; and lived with much dignity, as well as economy, upon that ample dowry which she inherited from her husband. The resentments of this princess were no less warm than her friendships; and that spirit of faction, which it is so difficult for a social and sanguine temper to guard against, had taken strong possession of her heart, and entrenched somewhat on the probity which shone forth in the other parts of her character. Hearing of the malignant jealousy entertained by Henry against her family, and his oppression of all its partisans, she was moved with the highest indignation, and she determined to make him repent of that enmity to which so many of her friends, without any reason or necessity, had fallen victims.

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After consulting with Lincoln and Lovel, she hired a body of two thousand veteran Germans, under the command of Martin Swart, a brave and experienced officer;<sup>1</sup> and sent them over, together with these two noblemen, to join Simnel in Ireland. The countenance given by persons of such high rank, and the accession of this military force, much raised the courage of the Irish, and made them entertain the resolution of invading England, where they believed the spirit of disaffection as prevalent as it appeared to be in Ireland. The poverty, also, under which they laboured, made it impossible for them to support any longer their new court and army, and inspired them with a strong desire of enriching themselves, by plunder and preferment, in England.

Lambert  
Simnel  
invades  
England.

Henry was not ignorant of these intentions of his enemies; and he prepared himself for defence. He ordered troops to be levied in different parts of the kingdom, and put them under the command of the duke of Bedford and earl of Oxford. He

<sup>1</sup> Polyd. Virg. p. 572, 573.



confined the marquis of Dorset, who he suspected would resent the injuries suffered by his mother, the queen dowager: and to gratify the people by an appearance of devotion, he made a pilgrimage to our lady of Walsingham, famous for miracles: and there offered up prayers for success, and for deliverance from his enemies.

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Being informed that Simnel was landed at Foudrey, in Lancashire, he drew together his forces, and advanced towards the enemy as far as Coventry. The rebels had entertained hopes that the disaffected counties in the north would rise in their favour: but the people in general, averse to join Irish and German invaders, convinced of Lambert's imposture, and kept in awe by the king's reputation for success and conduct, either remained in tranquillity, or gave assistance to the royal army. The earl of Lincoln, therefore, who commanded the rebels, finding no hopes but in victory, was determined to bring the matter to a speedy decision; and the king, supported by the native courage of his temper, and emboldened by a great accession of volunteers, who had joined him under the earl of Shrewsbury and lord Strange, declined not the combat. The 6th June. hostile armies met at Stoke, in the county of Nottingham, and Battle of fought a battle, which was bloody, and more obstinately dis- Stoke. puted than could have been expected, from the inequality of their force. All the leaders of the rebels were resolved to conquer or perish; and they inspired their troops with like resolution. The Germans, also, being veteran and experienced soldiers, kept the event long doubtful; and even the Irish, though ill armed, and almost defenceless, showed themselves not defective in spirit and bravery. The king's victory was purchased with loss, but was entirely decisive. Lincoln, Broughton, and Swart, perished in the field of battle, with four thousand of their followers. As Lovel was never more heard of, he was believed to have undergone the same fate. Simnel, with his tutor Simon, was taken prisoner. Simon, being a priest, was not tried at law, and was only committed to close custody: Simnel was too contemptible to be an object either of apprehension or resentment to Henry. He was pardoned, and made a scullion, in the king's kitchen; whence he was afterwards advanced to the rank of a falconer.<sup>1</sup>

Henry had now leisure to revenge himself on his enemies. He made a progress into the northern parts, where he gave many proofs of his rigorous disposition. A strict inquiry was made after those who had assisted or favoured the rebels. The punishments were not all sanguinary: the king made his revenge subservient to his avarice. Heavy fines were levied upon the delinquents. The proceedings of the courts, and even the courts themselves, were arbitrary. Either the criminals were tried by commissioners appointed for the purpose, or they suffered

<sup>1</sup> Bacon, p. 586. Polyd. Virg. 574.

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punishment by a sentence of a court martial. And, as a rumour had prevailed, before the battle of Stoke, that the rebels had gained the victory, that the royal army was cut in pieces, and that the king himself had escaped by flight, Henry was resolved to interpret the belief or propagation of this report, as a mark of disaffection; and he punished many for that pretended crime. But such, in this age, was the situation of the English government, that the royal prerogative, which was but imperfectly restrained during the most peaceable periods, was sure, in tumultuous, or even suspicious times, which frequently recurred, to break all bounds of law, and to violate public liberty.

After the king had gratified his rigour, by the punishment of his enemies, he determined to give contentment to the people in a point, which, though a mere ceremony, was passionately desired by them. The queen had been married near two years, but had not yet been crowned; and this affectation of delay had given great discontent to the public, and had been one principal source of the disaffection which prevailed. The king, instructed by experience, now finished the ceremony of her coronation; and to show a disposition still more gracious, he restored to liberty the marquis of Dorset, who had been able to clear himself of all the suspicions entertained against him.

## CHAPTER XXV.

State of foreign affairs—State of Scotland—of Spain—of the Low Countries—of France—of Brittany—French invasion of Brittany—French Embassy to England—Dissimulation of the French court—An Insurrection in the North—Suppressed—King sends forces into Brittany—Annexation of Brittany to France—A Parliament—War with France—Invasion of France—Peace with France—Perkin Warbec—His Imposture—He is avowed by the dutchess of Burgundy—and by many of the English Nobility—Trial and Execution of Stanley—A Parliament.

THE king acquired great reputation throughout Europe, by the vigorous and prosperous conduct of his domestic affairs: but as some incidents about this time invited him to look abroad, and exert himself in behalf of his allies, it will be necessary, in order to give a just account of his foreign measures, to explain the situation of the neighbouring kingdoms; beginning with Scotland, which lies most contiguous.

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State of  
foreign af-  
fairs.

The kingdom of Scotland had not yet attained that state, which distinguishes a civilized monarchy, and which enables the government, by the force of its laws and institutions alone, without any extraordinary capacity in the sovereign, to maintain itself in order and tranquillity. James III. who now filled the throne, was a prince of little industry, and of a narrow genius; and though it behoved him to yield the reins of government to his ministers, he had never been able to make any choice, which could give contentment both to himself and to his people. When he bestowed his confidence on any of the principal nobility, he found that they exalted their own family to such a height as was dangerous to the prince, and gave umbrage to the state: when he conferred favour on any person of meaner birth, on whose submission he could more depend, the barons of his kingdom, enraged at the power of an upstart minion, proceeded to the utmost extremities, against their sovereign. Had Henry entertained the ambition of conquests, a tempting opportunity now offered, of reducing that kingdom to subjection; but as he was probably sensible that a warlike people, though they might be overrun by reason of their domestic divisions, could not be retained in obedience, without a regular military force, which was then unknown in England, he rather intended the renewal of the peace with Scotland, and sent an embassy to James, for that purpose. But the Scots, who never desired a durable peace with England, and who deemed their security to consist in constantly preserving themselves in a warlike posture, would not agree to more than a seven years' truce, which was accordingly concluded.<sup>1</sup>

State of  
Scotland.

The European states on the continent were then hastening fast to the situation in which they have remained, without any

<sup>1</sup> Polyd. Virg. p. 575.

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State of  
Spain.

material alteration, for near three centuries; and began to unite themselves into one extensive system of policy, which comprehended the chief powers of Christendom. Spain, which had hitherto been almost entirely occupied within herself, now became formidable by the union of Arragon and Castile in the persons of Ferdinand and Isabella, who, being princes of great capacity, employed their force in enterprises, the most advantageous to their combined monarchy. The conquest of Granada, from the Moors, was then undertaken, and brought near to a happy conclusion: and, in that expedition, the military genius of Spain was revived; honour and security were attained; and her princes, no longer kept in awe, by a domestic enemy, so dangerous, began to enter into all the transactions of Europe, and make a great figure in every war and negotiation.

Of the Low  
Countries.

Maximilian, king of the Romans, son of the emperor Frederic, had, by his marriage with the heiress of Burgundy, acquired an interest in the Netherlands; and though the death of his consort had weakened his connexions with that country, he still pretended to the government, as tutor to his son Philip, and his authority had been acknowledged by Brabant, Holland, and several of the provinces. But as Flanders and Hainault still refused to submit to his regency, and even appointed other tutors to Philip, he had been engaged in long wars against that obstinate people, and never was able thoroughly to subdue their spirit. That he might free himself from the opposition of France, he had concluded a peace with Lewis XI. and had given his daughter, Margaret, then an infant, in marriage to the dauphin, together with Artois, Franche Comte, and Charolois, as her dowry. But this alliance had not produced the desired effect. The dauphin succeeded to the crown of France, by the appellation of Charles VIII.; but Maximilian still found the mutinies of the Flemings fomented by the intrigues of the court of France.

State of  
France.

France, during the two preceding reigns, had made a mighty increase of power and greatness; and had not other states of Europe, at the same time, received an accession of force, it had been impossible to have retained her within her ancient boundaries. Most of the great fiefs, Normandy, Champagne, Anjou, Dauphiny, Guienne, Provence, and Burgundy, had been united to the crown; the English had been expelled from all their conquests; the authority of the prince had been raised to such a height as enabled him to maintain law and order; a considerable military force was kept on foot, and the finances were able to support it. Lewis XI. indeed, from whom many of these advantages were derived, was dead, and had left his son in early youth, and ill educated, to sustain the weight of the monarchy: but having intrusted the government to his daughter, Anne, lady of Beaujeu, a woman of spirit and capacity, the French power suffered no check or decline. On the contrary, this princess formed the great project, which at last she hap-



pily effected, of uniting to the crown Brittany, the last and most independent fief of the monarchy.

Francis II. duke of Brittany, conscious of his own incapacity for government, had resigned himself to the direction of Peter Landais, a man of mean birth, more remarkable for abilities, than for virtue or integrity. The nobles of Brittany, displeased with the great advancement of this favourite, had even proceeded to disaffection against their sovereign; and, after many tumults and disorders, they at last united among themselves, and in a violent manner seized, tried, and put to death, the obnoxious minister. Dreading the resentment of the prince for this invasion of his authority, many of them retired to France; others, for protection and safety, maintained a secret correspondence with the French ministry, who, observing the great dissensions among the Bretons, thought the opportunity favourable for invading the dutchy; and so much the rather, as they could cover their ambition under the specious pretence of providing for domestic security.

Lewis, duke of Orleans, first prince of the blood, and presumptive heir of the monarchy, had disputed the administration with the lady of Beaujeu; and, though his pretensions had been rejected by the states, he still maintained cabals with many of the grandees, and laid schemes for subverting the authority of that princess. Finding his conspiracies detected, he took to arms, and fortified himself in Beaugenci; but, as his revolt was precipitate, before his confederates were ready to join him, he had been obliged to submit, and to receive such conditions as the French ministry were pleased to impose upon him. Actuated, however, by his ambition, and even by his fears, he soon retired out of France, and took shelter with the duke of Brittany, who was desirous of strengthening himself against the designs of the lady of Beaujeu, by the friendship and credit of the duke of Orleans. This latter prince, also perceiving the ascendant which he soon acquired over the duke of Brittany, had engaged many of his partisans to join him, at that court, and had formed the design of aggrandizing himself, by a marriage with Anne, the heir of that opulent dutchy.

The barons of Brittany, who saw all favour engrossed by the duke of Orleans, and his train, renewed a stricter correspondence with France, and even invited the French king to make an invasion on their country. Desirous, however, of preserving its independency, they had regulated the number of succours which France was to send them, and had stipulated that no fortified place in Brittany should remain in the possession of that monarchy: a vain precaution where revolted subjects treat with a power so much superior! The French invaded Brittany, with forces three times more numerous than those which they had promised to the barons; and, advancing into the heart of the country, laid siege to Ploermel. To oppose them, the duke raised a numerous, but ill disciplined army, which he put under

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the command of the duke of Orleans, the count of Dunois, and others of the French nobility. The army, discontented with his choice, and jealous of their confederates, soon disbanded, and left their prince with too small a force to keep the field against his invaders. He retired to Vannes, but, being hotly pursued by the French, who had now made themselves masters of Ploermel, he escaped to Nantz; and the enemy, having previously taken and garrisoned Vannes, Dinant, and other places, laid close siege to that city. The barons of Brittany finding their country menaced with total subjection, began gradually to withdraw from the French army, and to make peace with their sovereign.

This desertion, however, of the Bretons, discouraged not the court of France from pursuing her favourite project of reducing Brittany to subjection. The situation of Europe appeared favourable to the execution of this design. Maximilian was, indeed, engaged in close alliance with the duke of Brittany, and had even opened a treaty for marrying his daughter; but he was, on all occasions, so indigent, and, at that time, so disquieted, by the mutinies of the Flemings, that little effectual assistance could be expected from him. Ferdinand was entirely occupied in the conquest of Granada; and it was also known, that if France would resign to him Rousillon and Ceruagne, to which she had pretensions, she could, at any time engage him to abandon the interest of Brittany. England, alone, was both enabled by her power, and engaged by her interests, to support the independency of that dutchy; and the most dangerous opposition was, therefore, by Anne, of Beaujeu, expected from that quarter. In order to cover her real designs, no sooner was she informed of Henry's success against Simnel and his partisans, than she despatched ambassadors to the court of London, and made professions of the greatest trust and confidence in that monarch.

French  
embassy to  
England.

The ambassadors, after congratulating Henry on his late victory, and communicating to him, in the most cordial manner, as to an intimate friend, some successes of their master, against Maximilian, came, in the progress of their discourse, to mention the late transactions in Brittany. They told him, that the duke, having given protection to French fugitives and rebels, the king had been necessitated, contrary to his intention and inclination, to carry war into that dutchy: that the honour of the crown was interested not to suffer a vassal so far to forget his duty to his liege lord; nor was the security of the government less concerned to prevent the consequences of this dangerous temerity: that the fugitives were no mean or obscure persons; but, among others, the duke of Orleans, first prince of the blood, who, finding himself obnoxious to justice, for treasonable practices in France, had fled into Brittany, where he still persevered in laying schemes of rebellion against his sovereign: that the war, being thus, on the part of the French monarch, en-

tirely defensive, it would immediately cease, when the duke of Brittany, by returning to his duty, should remove the causes of it: that their master was sensible of the obligations which the duke, in very critical times, had conferred on Henry; but it was known, also, that in times still more critical, he, or his mercenary counsellors, had deserted him, and put his life in the utmost hazard: that his sole refuge, in these desperate extremities, had been the court of France, which not only protected his person, but supplied him with men and money, with which, aided by his own valour and conduct, he had been enabled to mount the throne of England: that France, in this transaction, had, from friendship to Henry, acted contrary to what, in a narrow view, might be esteemed her own interest; since, instead of an odious tyrant, she had contributed to establish, on a rival throne, a prince endowed with such virtue and abilities: and that, as both the justice of the cause, and the obligations conferred on Henry, thus preponderated on the side of France, she reasonably expected, that, if the situation of his affairs did not permit him to give her assistance, he would, at least, preserve a neutrality between the two contending parties.<sup>1</sup>

This discourse of the French ambassadors was plausible; and, to give it greater weight, they communicated to Henry, as in confidence, their master's intention, after he should have settled the differences with Brittany, to lead an army into Italy, and make good his pretensions to the kingdom of Naples: a project which they knew would give no umbrage to the court of England. But all these artifices were in vain employed against the penetration of the king. He clearly saw that France had entertained the view of subduing Brittany; but he also perceived, that she would meet with great, and, as he thought, insuperable difficulties, in the execution of her project. The native force of that dutchy, he knew, had always been considerable, and had often, without any foreign assistance, resisted the power of France; the natural temper of the French nation, he imagined, would make them easily abandon any enterprise which required perseverance; and, as the heir of the crown was confederated with the duke of Brittany, the ministers would be still more remiss, in prosecuting a scheme which must draw on them his resentment and displeasure. Should even these internal obstructions be removed, Maximilian, whose enmity to France was well known, and who now paid his addresses to the heiress of Brittany, would be able to make a diversion on the side of Flanders; nor could it be expected that France, if she prosecuted such ambitious projects, would be allowed to remain in tranquillity by Ferdinand and Isabella. Above all, he thought the French court could never expect, that England, so deeply interested to preserve the independency of Brittany, so able, by her power and situation, to give effectual and prompt assist-

<sup>1</sup> Bacon, p. 589.

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ance, would permit such an accession of force to her rival. He imagined, therefore, that the ministers of France, convinced of the impracticability of their scheme, would, at last, embrace pacific views, and would abandon an enterprise, so obnoxious to all the potentates of Europe.

This reasoning of Henry's was solid, and might justly engage him in dilatory and cautious measures: but there entered into his conduct another motive, which was apt to draw him beyond the just bounds, because founded on a ruling passion. His frugality, which by degrees degenerated into avarice, made him averse to all warlike enterprises and distant expeditions, and engaged him previously to try the expedient of negotiation. He despatched Urswic, his almoner, a man of address and abilities, to make offer of his mediation to the contending parties: an offer which, he thought, if accepted by France, would soon lead to a composure of all differences; if refused or eluded, would at least discover the perseverance of that court in her ambitious projects. Urswic found the lady of Beaujeu, now dutchess of Bourbon, engaged in the siege of Nantz, and had the satisfaction to find that his master's offer of mediation was readily embraced, and with many expressions of confidence and moderation.

Dissimulation of the French court.

That able princess concluded, that the duke of Orleans, who governed the court of Brittany, foreseeing that every accommodation must be made at his expense, would use all his interest to have Henry's proposal rejected; and would, by that means, make an apology for the French measures, and draw on the Bretons the reproach of obstinancy and injustice. The event justified her prudence. When the English ambassador made the same offer to the duke of Brittany, he received for answer, in the name of that prince, that, having so long acted the part of protector and guardian to Henry, during his youth and adverse fortune, he had expected from a monarch of such virtue, more effectual assistance in his present distresses, than a barren offer of mediation, which suspended not the progress of the French arms: that if Henry's gratitude were not sufficient to engage him in such a measure, his prudence, as king of England, should discover to him the pernicious consequences attending the conquest of Brittany, and its annexation to the crown of France; that that kingdom, already too powerful, would be enabled, by so great an accession of force, to display, to the ruin of England, that hostile disposition which had always subsisted between those rival nations: that Brittany, so useful an ally, which, by its situation, gave the English an entrance into the heart of France, being annexed to that kingdom, would be equally enabled, from its situation, to disturb, either by piracies or naval armaments, the commerce and peace of England: and that, if the duke rejected Henry's mediation, it proceeded neither from an inclination to a war, which he experienced to be ruinous to him, nor from a confidence in his own force, which he knew to be much inferior to that of the enemy;



but, on the contrary, from a sense of his present necessities, which must engage the king to act the part of his confederate, not that of a mediator.

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When this answer was reported to the king, he abandoned not the plan which he had formed: he only concluded, that some more time was requisite to quell the obstinacy of the Bretons, and make them submit to reason. And when he learned, that the people of Brittany, anxious for their duke's safety, had formed a tumultuary army, of sixty thousand men, and had obliged the French to raise the siege of Nantz, he fortified himself the more in his opinion, that the court of France would, at last, be reduced, by multiplied obstacles and difficulties, to abandon the project of reducing Brittany to subjection. He continued, therefore, his scheme of negotiation, and thereby exposed himself to be deceived by the artifices of the French ministry; who, still pretending pacific intentions, sent lord Bernard Daubigny, a Scotchman of quality, to London, and pressed Henry not to be discouraged in offering his mediation to the court of Brittany. The king, on his part, despatched another embassy, consisting of Urswic, the abbot of Abingdon, and Sir Richard Tonstal, who carried new proposals for an amicable treaty. No effectual succours, meanwhile, were provided for the distressed Bretons. Lord Woodville, brother to the queen dowager, having asked leave to raise, underhand, a body of volunteers, and to transport them into Brittany, met with a refusal from the king, who was desirous of preserving the appearance of a strict neutrality. That nobleman, however, still persisted in his purpose. He went over to the Isle of Wight, of which he was governor; levied a body of four hundred men; and, having at last obtained, as is supposed, the secret permission of Henry, sailed with them to Brittany. This enterprise proved fatal to the leader, and brought small relief to the unhappy duke. The Bretons rashly engaged in a general action with the French, at 28th July. St. Aubin, and were discomfited. Woodville and all the English were put to the sword, together with a body of Bretons, who had been accoutred in the garb of Englishmen, in order to strike a greater terror into the French, to whom the martial prowess of that nation was always formidable.<sup>1</sup> The duke of Orleans, the prince of Orange, and many other persons of rank, were taken prisoners; and the military force of Brittany was totally broken. The death of the duke, which followed soon after, 9th Sept. threw affairs into still greater confusion, and seemed to threaten the state with a final subjection.

Though the king did not prepare against these events, so hurtful to the interests of England, with sufficient vigour and precaution, he had not altogether overlooked them. Determined to maintain a pacific conduct, as far as the situation of affairs would permit, he yet knew the warlike temper of his subjects,

<sup>1</sup> Argentre Hist. de Bretagne, liv. xii.

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rection in  
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and observed, that their ancient and inveterate animosity to France was now revived, by the prospect of this great accession to her power and grandeur. He resolved, therefore, to make advantage of this disposition, and draw some supplies from the people, on pretence of giving assistance to the duke of Brittany. He had summoned a parliament, at Westminster;<sup>1</sup> and he soon persuaded them to grant him a considerable subsidy.<sup>2</sup> But this supply, though voted by parliament, involved the king in unexpected difficulties. The counties of Durham and York, always discontented with Henry's government, and farther provoked by the late oppressions, under which they had laboured, after the suppression of Simnel's rebellion, resisted the commissioners, who were appointed to levy the tax. The commissioners, terrified with this appearance of sedition, made application to the earl of Northumberland, and desired of him advice and assistance, in the execution of their office. That nobleman thought the matter of importance enough to consult the king; who, unwilling to yield to the humours of a discontented populace, and foreseeing the pernicious consequence of such a precedent, renewed his orders, for strictly levying the imposition. Northumberland summoned together the justices and chief freeholders, and delivered the king's commands, in the most imperious terms, which he thought would enforce obedience, but which tended only to provoke the people, and make them believe him the adviser of those orders which he delivered to them.<sup>3</sup> They flew to arms, attacked Northumberland in his house, and put him to death. Having incurred such deep guilt, their mutinous humour prompted them to declare against the king himself; and, being instigated by John Achamber, a seditious fellow, of low birth, they chose Sir John Egremont their leader, and prepared themselves for a vigorous resistance. Henry was not dismayed with an insurrection so precipitate and ill supported. He immediately levied a force, which he put under the command of the earl of Surrey, whom he had freed from confinement and received into favour. His intention was to send down these troops, in order to check the progress of the rebels, while he himself should follow with a greater body, which would absolutely ensure success. But Surrey thought himself enough to encounter, alone, a raw and unarmed multitude; and he succeeded in the attempt. The rebels were dissipated; John Achamber was taken prisoner, and afterwards executed, with some of his accomplices; Sir John Egremont fled to the dutchess of Burgundy, who gave him protection; the greater number of the rebels received a pardon.

Henry had probably expected, when he obtained this grant from parliament, that he should be able to terminate the affair

<sup>1</sup> 9th November, 1487. <sup>2</sup> Polydore Virgil, p. 579, says that this imposition was a capitation tax; the other historians say, it was a tax of two shillings in the pound. <sup>3</sup> Bacon, p. 595.

of Brittany, by negotiation, and that he might thereby fill his coffers with the money levied by the imposition. But as the distresses of the Bretons still multiplied, and became every day more urgent, he found himself under the necessity of taking more vigorous measures, in order to support them. On the death of the duke, the French had revived some antiquated claims to the dominion of the dutchy; and as the duke of Orleans was now captive in France, their former pretence for hostilities could no longer serve as a cover to their ambition. The king resolved, therefore, to engage as auxiliary to Brittany; and to consult the interests as well as desires of his people, by opposing himself to the progress of the French power. Besides entering into a league with Maximilian, and another with Ferdinand, which were distant resources, he levied a body of troops, to the number of six thousand men, with an intention of transporting them into Brittany. Still anxious, however, for the repayment of his expenses, he concluded a treaty with the young dutchess, by which she engaged to deliver into his hands, two sea-port towns, there to remain, till she should entirely refund the charges of the armament.<sup>1</sup> Though he engaged for the service of these troops during the space of ten months only, yet was the dutchess obliged, by the necessity of her affairs, to submit to such rigid conditions, imposed by an ally, so much concerned in interest to protect her. The forces arrived, under the command of lord Willoughby, of Broke; and made the Bretons, during some time, masters of the field. The French retired into their garrisons; and expected, by dilatory measures, to waste the fire of the English, and disgust them with the enterprise. The scheme was well laid, and met with success. Lord Broke found such discord and confusion in the counsels of Brittany, that no measures could be concerted for any undertaking; no supply obtained; no provisions, carriages, artillery, or military stores, procured. The whole court was rent into factions: no one minister had acquired the ascendant: and whatever project was formed by one, was sure to be traversed by another. The English, disconcerted in every enterprise, by these animosities and uncertain counsels, returned home as soon as the time of their service was elapsed; leaving only a small garrison in those towns which had been consigned into their hands. During their stay in Brittany, they had only contributed still farther to waste the country; and, by their departure, they left it entirely at the mercy of the enemy. So feeble was the succour which Henry, in this important conjuncture, afforded his ally, whom the invasion of a foreign enemy, concurring with domestic dissensions, had reduced to the utmost distress.

Kings sends  
forces into  
Brittany.

The great object of the domestic dissensions in Brittany, was, the disposal of the young dutchess in marriage. The mar-schal, Rieux, favoured by Henry, seconded the suit of the

<sup>1</sup> Du Tillet, Recueil des Traités.

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lord d'Albret, who led some forces to her assistance. The chancellor, Montauban, observing the aversion of the dutchess to this suitor, insisted that a petty prince, such as d'Albret, was unable to support Anne in her present extremities; and he recommended some more powerful alliance, particularly that of Maximilian, king of the Romans. This party, at last, prevailed; the marriage, with Maximilian, was celebrated by proxy; and the dutchess thenceforth assumed the title of queen of the Romans. But this magnificent appellation was all she gained by her marriage. Maximilian, destitute of troops and money, and embarrassed with the continual revolts of the Flemings, could send no succour to his distressed consort; while d'Albret, enraged at the preference given to his rival, deserted her cause, and received the French into Nantz, the most important place in the dutch, both for strength and riches.

The French court now began to change their scheme, with regard to the subjection of Brittany. Charles had formerly been affianced to Margaret, daughter of Maximilian; who, though too young for the consummation of her marriage, had been sent to Paris, to be educated; and, at this time bore the title of queen of France. Besides the rich dowry which she brought the king, she was, after her brother Philip, then in early youth, heir to all the dominions of the house of Burgundy; and seemed, in many respects, the most proper match that could be chosen for the young monarch. These circumstances had so blinded both Maximilian and Henry, that they never suspected any other intentions in the French court; nor were they able to discover that engagements, seemingly so advantageous, and so solemnly entered into, could be infringed and set aside. But Charles began to perceive that the conquest of Brittany, in opposition to the natives, and to all the great powers of Christendom, would prove a difficult enterprise; and that, even if he should overrun the country, and make himself master of the fortresses, it would be impossible for him long to retain possession of them. The marriage, alone, of the dutchess, could fully re-annex that fief to the crown; and the present and certain enjoyment of so considerable a territory, seemed preferable to the prospect of inheriting the dominions of the house of Burgundy: a prospect, which became every day more distant and precarious. Above all, the marriage of Maximilian and Anne appeared destructive to the grandeur, and even security of the French monarch; while that prince, possessing Flanders, on the one hand, and Brittany, on the other, might thus, from both quarters, make inroads into the heart of the country. The only remedy for these evils was, therefore, concluded to be the dissolution of the two marriages, which had been celebrated, but not consummated; and the espousal of the dutchess of Brittany, by the king of France.

It was necessary that this expedient, which had not been foreseen by any court in Europe, and which they were all so



much interested to oppose, should be kept a profound secret, and should be discovered to the world only by the full execution of it. The measures of the French ministry, in the conduct of this delicate enterprise, were wise and political. While they pressed Brittany with all the rigours of war, they secretly gained the count of Dunois, who possessed great authority with the Bretons; and, having also engaged in their interests the prince of Orange, cousin-german to the dutchess, they gave him his liberty, and sent him into Brittany. These partisans, supported by other emissaries of France, prepared the minds of men for the great revolution projected, and displayed, though still with many precautions, all the advantages of a union with the French monarchy. They represented to the barons of Brittany, that their country, harassed during so many years with perpetual war, had need of some repose, and of a solid and lasting peace, with the only power that was formidable to them : that their alliance with Maximilian was not able to afford them even present protection ; and, by closely uniting them to a power, which was rival to the greatness of France, fixed them in perpetual enmity with that potent monarchy : that their vicinity exposed them first to the inroads of the enemy ; and the happiest event, which in such a situation could befall them, would be to attain a peace, though by a final subjection to France, and by the loss of that liberty, transmitted to them from their ancestors : and, that any other expedient, compatible with the honour of the state, and their duty to their sovereign, was preferable to a scene of such disorder and devastation.

These suggestions had influence with the Bretons, but the chief difficulty lay, in surmounting the prejudices of the young dutchess herself. That princess had imbibed a strong prepossession against the French nation, particularly against Charles, the author of all the calamities, which, from her earliest infancy, had befallen her family. She had also fixed her affections on Maximilian; and as she now deemed him her husband, she could not, she thought, without incurring the greatest guilt, and violating the most solemn engagements, contract a marriage with any other person. In order to overcome her obstinacy, Charles gave the duke of Orleans his liberty, who, though formerly a suitor to the dutchess, was now contented to ingratiate himself with the king, by employing, in his favour, all the interest which he still possessed in Brittany. Mareschal Rieux and chancellor Montauban were reconciled by his mediation ; and these rival ministers now concurred with the prince of Orange and the count of Dunois, in pressing the conclusion of a marriage with Charles. By their suggestion, Charles advanced with a powerful army, and invested Rennes, at that time the residence of the dutchess ; who, assailed on all hands, and finding none to support her in her inflexibility, at last opened the gates of the city and agreed to espouse the king of France. She was married at Langey,

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in Touraine; conducted to St. Dennis, where she was crowned; thence made her entry into Paris, amidst the joyful acclamations of the people, who regarded this marriage as the most prosperous event that could have befallen the monarchy.

The triumph and success of Charles was the most sensible mortification to the king of the Romans. He had lost a considerable territory which he thought he had acquired, and an accomplished princess, whom he had espoused; he was affronted in the person of his daughter, Margaret, who was sent back to him, after she had been treated, during some years, as queen of France; he had reason to reproach himself with his own supine security, in neglecting the consummation of his marriage, which was easily practicable for him, and which would have rendered the tie indissoluble: these considerations threw him into the most violent rage, which he vented in very indecent expressions; and he threatened France with an invasion from the united arms of Austria, Spain, and England.

The king of England had also just reason to reproach himself with misconduct in this important transaction; and though the affair had terminated in a manner which he could not precisely foresee, his negligence in leaving his most useful ally so long exposed to the invasion of superior power, could not but appear, on reflection, the result of timid caution and narrow politics. As he valued himself on his extensive foresight and profound judgment, the ascendant acquired over him by a raw youth, such as Charles, could not but give him the highest displeasure, and prompt him to seek vengeance, after all remedy for his miscarriage was become absolutely impracticable. But he was farther actuated by avarice, a motive still more predominant with him than either pride or revenge; and he sought, even from his present disappointments, the gratification of this ruling passion. On pretence of a French war, he issued a commission for levying a *Benevolence* on his people;<sup>1</sup> a species of taxation which had been abolished by a recent law of Richard III. This violence (for such it really was) fell chiefly on the commercial part of the nation, who were possessed of the ready money. London alone contributed to the amount of near ten thousand pounds. Archbishop Morton, the chancellor, instructed the commissioners to employ a dilemma, in which every one might be comprehended: if the persons applied to lived frugally, they were told that their parsimony must necessarily have enriched them; if their method of living were splendid and hospitable, they were concluded to be opulent on account of their expenses. This device was, by some, called chancellor Morton's fork, by others his crutch.

So little apprehensive was the king of a parliament, on account of his levying this arbitrary imposition, that he soon after sum-

<sup>1</sup> Rymer, vol. xii. p. 446. Bacon says that the *Benevolence* was levied with consent of parliament, which is a mistake.

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moned that assembly to meet at Westminster; and he even expected to enrich himself farther, by working on their passions and prejudices. He knew the displeasure which the English had conceived against France, on account of the acquisition of Brittany; and he took care to insist on that topic, in the speech which he himself pronounced to the parliament. He told them that France, elated with her late successes, had even proceeded to a contempt of England, and had refused to pay the tribute which Lewis XI. had stipulated to Edward IV.: that it became so warlike a nation as the English to be roused by this indignity, and not to limit their pretensions merely to repelling the present injury: that, for his part, he was determined to lay claim to the crown itself of France, and to maintain by force of arms so just a title, transmitted to him by his gallant ancestors: that Crecy, Poitiers and Azincour were sufficient to instruct them in their superiority over the enemy; nor did he despair of adding new names to the glorious catalogue: that a king of France had been prisoner in London, and a king of England had been crowned at Paris; events which should animate them to an emulation of like glory with that which had been enjoyed by their forefathers: that the domestic dissensions of England had been the sole cause of her losing these foreign dominions; and her present internal union would be the effectual means of recovering them: that where such lasting honour was in view, and such an important acquisition, it became not brave men to repine at the advance of a little treasure: and that, for his part, he was determined to make the war maintain itself; and hoped, by the invasion of so opulent a kingdom as France, to increase, rather than diminish, the riches of the nation.<sup>1</sup>

Notwithstanding these magnificent vaunts of the king, all men of penetration concluded, from the personal character of the man, and still more from the situation of affairs, that he had no serious intention of pushing the war to such extremities as he pretended. France was not now in the same condition as when such successful inroads had been made upon her by former kings of England. The great fiefs were united to the crown; the princes of the blood were desirous of tranquillity; the nation abounded with able captains and veteran soldiers; and the general aspect of her affairs seemed rather to threaten her neighbours than to promise them any considerable advantages against her. The levity and vain-glory of Maximilian were supported by his pompous titles; but were ill seconded by military power, and still less by any revenue proportioned to them. The politic Ferdinand, while he made a show of war, was actually negotiating for peace; and, rather than expose himself to any hazard, would accept of very moderate concessions from France. Even England was not free from domestic discontents; and in Scotland, the death of Henry's friend and ally, James III. who had been murdered by his rebellious

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<sup>1</sup> Bacon, p. 601.

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subjects, had made way for the succession of his son, James IV. who was devoted to the French interest, and would surely be alarmed at any important progress of the English arms. But all these obvious considerations had no influence on the parliament. Inflamed by the ideas of subduing France, and of enriching themselves by the spoils of that kingdom, they gave into the snare prepared for them, and voted the supply which the king demanded. Two fifteenths were granted him; and the better to enable his vassals and nobility to attend him, an act was passed, empowering them to sell their estates, without paying any fines for alienation.

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The nobility were universally seized with a desire of military glory; and having credulously swallowed all the boasts of the king, they dreamed of no less than carrying their triumphant banners to the gates of Paris, and putting the crown of France on the head of their sovereign. Many of them borrowed large sums, or sold off manors, that they might appear in the field with greater splendour, and lead out their followers in more complete order. The king crossed the sea, and arrived at Calais on the sixth of October, with an army of twenty-five thousand foot and sixteen hundred horse, which he put under the command of the duke of Bedford and the earl of Oxford: but as some inferred, from his opening the campaign in so late a season, that peace would soon be concluded between the crowns, he was desirous of suggesting a contrary inference. "He had come over," he said, "to make an entire conquest of France, which was not the work of one summer. It was therefore of no consequence at what season he began the invasion; especially as he had Calais ready for winter quarters." As if he had seriously intended this enterprise, he instantly marched into the enemy's country, and laid siege to Bulloigne: but notwithstanding this appearance of hostility, there had been secret advances made towards peace above three months before; and commissioners had been appointed to treat of the terms. The better to reconcile the minds of men to this unexpected measure, the king's ambassadors arrived in the camp from the Low Countries, and informed him that Maximilian was in no readiness to join him, nor was any assistance to be expected from that quarter. Soon after messengers came from Spain, and brought news of a peace concluded between that kingdom and France, in which Charles had made a cession of the counties of Rousillon and Cerdagne to Ferdinand. Though these articles of intelligence were carefully dispersed throughout the army, the king was still apprehensive lest a sudden peace, after such magnificent promises and high expectations, might expose him to reproach. In order the more effectually to cover the intended measures, he secretly engaged the marquis of Dorset, together with twenty-three persons of distinction, to present him a petition for agreeing to a treaty with France. The pretence was founded on the late season of the year, the difficulty of supplying the army at Calais during win-

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War with  
France.Invasion of  
France.



ter, the obstacles which arose in the siege of Bulloigne, the desertion of those allies, whose assistance had been most relied on: events which might, all of them, have been foreseen before the embarkation of the forces.

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In consequence of these preparatory steps, the bishop of Exeter and lord Daubeney were sent to confer, at Estaples, with the mareschal de Cordes, and to put the last hand to the treaty. A few days sufficed for that purpose: the demands of Henry were wholly pecuniary; and the king of France, who deemed the peaceable possession of Brittany an equivalent for any sum, and who was all on fire for his projected expedition into Italy, readily agreed to the proposals made him. He engaged to pay Henry seven hundred and forty-five thousand crowns, near four hundred thousand pounds sterling, of our present money; partly as a reimbursement of the sums advanced to Brittany, partly as arrears of the pension due to Edward VI; and he stipulated a yearly pension to Henry and his heirs, of twenty-five thousand crowns. Thus the king, as remarked by his historian, made profit upon his subjects for the war; and upon his enemies for the peace.<sup>1</sup> And the people agreed that he had fulfilled his promise, when he said to the parliament that he would make the war maintain itself. Maximilian was, if he pleased, comprehended in Henry's treaty; but he disdained to be in any respect beholden to an ally, of whom he thought he had reason to complain: he made a separate peace with France, and obtained restitution of Artois, Franche-compte, and Charolois, which had been ceded as the dowry of his daughter, when she was affianced to the king of France.

3d Nov.  
Peace  
with  
France.

The peace concluded between England and France was the more likely to continue, because Charles, full of ambition and youthful hopes, bent all his attention to the side of Italy, and soon after undertook the conquest of Naples; an enterprise which Henry regarded with the greatest indifference, as Naples lay remote from him, and France had never, in any age, been successful in that quarter. The king's authority was fully established at home; and every rebellion which had been attempted against him, had hitherto tended only to confound his enemies, and consolidate his power and influence. His reputation for policy and conduct was daily augmenting; his treasures had increased, even from the most unfavourable events; the hopes of all pretenders to his throne were cut off, as well by his marriage as by the issue which it had brought him. In this prosperous situation, the king had reason to flatter himself with the prospect of durable peace and tranquillity: but his inveterate and indefatigable enemies, whom he had wantonly provoked, raised him an adversary, who long kept him in inquietude, and sometimes even brought him into danger.

<sup>1</sup> Bacon, p. 605. Polyd. Virg. p. 586.

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The dutchess of Burgundy, full of resentment for the depression of her family and its partisans, rather irritated than discouraged by the ill success of her last enterprises, was determined, at least to disturb that government, which she found it so difficult to subvert. By means of her emissaries, she propagated a report that her nephew, Richard Plantagenet, duke of York, had escaped from the Tower, when his elder brother was murdered, and that he still lay somewhere concealed: and finding this rumour, however improbable, to be greedily received by the people, she had been looking out for some young man proper to personate that unfortunate prince.

Perkin  
Warbec.

There was one Osbec, or Warbec, a renegade Jew, of Tournay, who had been carried, by some business, to London, in the reign of Edward IV. and had there a son born to him. Having had opportunities of being known to the king, and obtaining his favour, he prevailed with that prince, whose manners were very affable, to stand god-father to his son, to whom he gave the name of Peter, corrupted, after the Flemish manner, into Peterkin, or Perkin. It was by some believed, that Edward, among his amorous adventures, had a secret commerce with Warbec's wife; and people thence accounted for that resemblance which was afterwards remarked between young Perkin and that monarch.<sup>1</sup> Some years after the birth of this child, Warbec returned to Tournay; where Perkin, his son, did not long remain; but, by different accidents, was carried from place to place, and his birth and fortunes became entirely unknown, and difficult to be traced by the most diligent inquiry. The variety of his adventures had happily favoured the natural versatility and sagacity of his genius; and he seemed to be a youth perfectly fitted to act any part, or assume any character. In this light he had been represented to the dutchess of Burgundy, who, struck with the concurrence of so many circumstances suited to her purpose, desired to be made acquainted with the man on whom she already began to ground her hopes of success. She found him to exceed her most sanguine expectations; so comely did he appear in his person, so graceful in his air, so courtly in his address, so full of docility and good sense in his behaviour and conversation. The lessons necessary to be taught him, in order to his personating the duke of York, were soon learned, by a youth of such quick apprehension; but as the season seemed not then favourable for his enterprise, Margaret, in order the better to conceal him, sent him, under the care of lady Brampton, into Portugal, where he remained a year unknown to all the world.

His impos-  
ture.

The war which was then ready to break out between France and England, seemed to afford a proper opportunity for the discovery of this new phenomenon; and Ireland, which still retained its attachments to the house of York, was chosen as the proper place for his first appearance.<sup>2</sup> He landed at Corke; and

<sup>1</sup> Bacon, p. 606.    <sup>2</sup> Polyd. Virg. p. 589.

immediately assuming the name of Richard Plantagenet, drew to him partisans among that credulous people. He wrote letters to the earls of Desmond and Kildare, inviting them to join his party; he dispersed every where the strange intelligence of his escape from the cruelty of his uncle, Richard: and men fond of every thing new and wonderful, began to make him the general subject of their discourse, and even the object of their favour.

The news soon reached France; and Charles, prompted by the secret solicitations of the dutchess of Burgundy, and the intrigues of one Frion, a secretary of Henry's who had deserted his service, sent Perkin an invitation to repair to him at Paris. He received him with all the marks of regard due to the duke of York; settled on him a handsome pension, assigned him magnificent lodgings, and in order to provide at once for his dignity and security, gave him a guard for his person, of which lord Congresal accepted the office of captain. The French courtiers readily embraced a fiction, which their sovereign thought it his interest to adopt: Perkin, both by his deportment and personal qualities, supported the prepossession which was spread abroad of his royal pedigree: and the whole kingdom was full of the accomplishments, as well as the singular adventures and misfortunes of the young Plantagenet. Wonders of this nature are commonly augmented at a distance. From France, the admiration and credulity diffused themselves into England: Sir George Nevil, Sir John Taylor, and above a hundred gentlemen more, came to Paris, in order to offer their services to the supposed duke of York, and to share his fortunes: and the impostor had now the appearance of a court attending him, and began to entertain hopes of final success in his undertakings.

When peace was concluded between France and England, at Estaples, Henry applied to have Perkin put into his hands; but Charles, resolute not to betray a young man, of whatever birth, whom he had invited into his kingdom, would agree only to dismiss him. The pretended Richard retired to the dutchess of Burgundy, and craving her protection and assistance, offered to lay before her all the proofs of that birth to which he laid claim. The princess affected ignorance of his pretensions: even put on the appearance of distrust; and having, as she said, been already deceived by Simnel, she was determined never again to be seduced by any impostor. She desired, before all the world, to be instructed in his reasons for assuming the name which he bore; seemed to examine every circumstance with the most scrupulous nicety; put many particular questions to him; affected astonishment at his answers; and, at last, after a long and severe scrutiny, burst out into joy and admiration at his wonderful deliverance, embraced him as her nephew, the true image of Edward, the sole heir of the Plantagenets, and the legitimate successor to the English throne. She immediately assigned him an equipage suited to his pretended birth; appointed him a

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avowed by  
the dutch-  
ess of Bur-  
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guard of thirty halberdiers; engaged every one to pay court to him; and, on all occasions, honoured him with the appellation of the *White Rose of England*. The Flemings, moved by the authority which Margaret, both from her rank and personal character, enjoyed among them, readily adopted the fiction of Perkin's royal descent: no surmise of his true birth was, as yet, heard of: little contradiction was made to the prevailing opinion: and the English, from their great communication with the Low Countries, were every day more and more prepossessed in favour of the impostor.

and by  
many of  
the Eng-  
lish nobili-  
ty.

It was not the populace, alone, of England, that gave credit to Perkin's pretensions. Men of the highest birth and quality, disgusted at Henry's government, by which they found the nobility depressed, began to turn their eyes towards the new claimant; and some of them even entered into a correspondence with him. Lord Fitzwater, Sir Simon Mountfort, Sir Thomas Thwaites, betrayed their inclination towards him: Sir William Stanley himself, lord chamberlain, who had been so active in raising Henry to the throne, moved, either by blind credulity, or a restless ambition, entertained the project of a revolt, in favour of his enemy.<sup>1</sup> Sir Robert Clifford, and William Barley, were still more open in their measures: they went over to Flanders, were introduced, by the dutchess of Burgundy, to the acquaintance of Perkin, and made him a tender of their services. Clifford wrote back to England, that he knew, perfectly, the person of Richard duke of York; that this young man was, undoubtedly, that prince himself, and that no circumstance of his story was exposed to the least difficulty. Such positive intelligence, conveyed by a person of rank and character, was sufficient, with many, to put the matter beyond question, and excited the attention and wonder even of the most indifferent. The whole nation was held in suspense; a regular conspiracy was formed against the king's authority; and a correspondence settled between the malcontents in Flanders, and those in England.

The king was informed of all these particulars; but, agreeably to his character, which was both cautious and resolute, he proceeded deliberately, though steadily, in counterworking the projects of his enemies. His first object was, to ascertain the death of the real duke of York, and to confirm the opinion that had always prevailed, with regard to that event. Five persons had been employed, by Richard, in the murder of his nephews, or could give evidence with regard to it; Sir James Tyrrel, to whom he had committed the government of the Tower, for that purpose, and who had seen the dead princes; Forest, Dighton, and Slater, who perpetrated the crime; and the priest, who buried the bodies. Tyrrel and Dighton, alone, were alive, and they agreed in the same story; but as the priest was dead, and as the bodies were supposed to have been removed, by

<sup>1</sup> Bacon, p. 608.



Richard's orders, from the place where they were first interred, and could not now be found, it was not in Henry's power to put the fact, so much as he wished, beyond all doubt and controversy.

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He met, at first, with more difficulty, but was, in the end, more successful in detecting who this wonderful person was, that thus boldly advanced pretensions to his crown. He dispersed his spies all over Flanders and England; he engaged many to pretend that they had embraced Perkin's party; he directed them to insinuate themselves into the confidence of the young man's friends; in proportion as they conveyed intelligence of any conspirator, he bribed his retainers, his domestic servants, nay, sometimes his confessor, and, by these means, traced up some other confederate; Clifford himself, he engaged, by the hope of rewards and pardon, to betray the secrets committed to him; the more trust he gave to any of his spies, the higher resentment did he feign against them; some of them he even caused to be publicly anathematized, in order the better to procure them the confidence of his enemies: and, in the issue, the whole plan of the conspiracy was clearly laid before him; and the pedigree, adventures, life, and conversation of the pretended duke of York. This latter part of the story was, immediately, published, for the satisfaction of the nation: the conspirators he reserved for a slower and surer vengeance.

Meanwhile, he remonstrated, with the archduke Philip, on account of the countenance and protection which was afforded, in his dominions, to so infamous an impostor; contrary to treaties, subsisting between the sovereigns, and to the mutual amity which had so long been maintained, by the subjects of both states. Margaret had interest enough to get his application rejected, on pretence that Philip had no authority over the demesnes of the dutchess dowager; and the king, in resentment of this injury, cut off all commerce with the Low Countries, banished the Flemings, and recalled his own subjects from these provinces. Philip retaliated, by like edicts; but Henry knew, that so mutinous a people as the Flemings would not long bear, in compliance with the humours of their prince, to be deprived of the beneficial branch of commerce which they carried on with England.

He had it in his power to inflict more effectual punishment on his domestic enemies; and when his projects were sufficiently matured, he failed not to make them feel the effects of his resentment. Almost in the same instant, he arrested Fitzwater, Mountfort, and Thwaites, together with William Daubeney, Robert Ratcliffe, Thomas Cressenor, and Thomas Astwood. All these were arraigned, convicted, and condemned for high treason, in adhering, and promising aid to Perkin. Mountfort, Ratcliffe, and Daubeney, were immediately executed: Fitzwater was sent over to Calais, and detained in custody; but, being detected, in practising on his keeper for an escape, he soon

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after underwent the same fate. The rest were pardoned, together with William Worsley, dean of St. Paul's, and some others, who had been accused and examined, but not brought to public trial.<sup>1</sup>

Greater and more solemn preparations were deemed requisite for the trial of Stanley, lord chamberlain, whose authority in the nation, whose domestic connexions with the king, as well as his former services, seemed to secure him against any accusation or punishment. Clifford was directed to come over, privately, to England, and to throw himself at the king's feet, while he sat in council, craving pardon for past offences, and offering to atone for them, by any services which should be required of him. Henry then told him, that the best proof he could give of penitence, and the only service he could now render him, was the full confession of his guilt, and the discovery of all his accomplices, however distinguished by rank or character. Encouraged by this exhortation, Clifford accused Stanley, then present, as his chief abettor; and offered to lay before the council the full proof of his guilt. Stanley himself could not discover more surprise than was affected by Henry, on the occasion. He received the intelligence as absolutely false and incredible: that a man to whom he was, in a great measure, beholden for his crown, and even for his life; a man to whom, by every honour and favour, he had endeavoured to express his gratitude; whose brother, the earl of Derby, was his own father-in-law; to whom he had even committed the trust of his person, by creating him lord chamberlain: that this man, enjoying his full confidence and affection, not actuated by any motive of discontent or apprehension, should engage in a conspiracy against him. Clifford was, therefore, exhorted to weigh well the consequences of his accusation; but, as he persisted in the same positive asseverations, Stanley was committed to custody, and was soon after examined, before the council.<sup>2</sup> He denied not the guilt imputed to him by Clifford; he did not even endeavour much to extenuate it: whether he thought that a frank and open confession would serve as an atonement, or trusted to his present connexions, and his former services, for pardon and security. But princes are often apt to regard great services as a ground of jealousy, especially if accompanied with a craving and restless disposition in the person who has performed them. The general discontent, also, and mutinous humour of the people, seemed to require some great example of severity. And, as Stanley was one of the most opulent subjects in the kingdom, being possessed of above three thousand pounds a year in land, and forty thousand marks in plate and money, besides other property, of great value, the prospect of so rich a forfeiture was deemed no small motive for Henry's proceeding to extremities against him. After six weeks' delay, which was interposed, in order to show

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execution  
of Stanley.

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<sup>1</sup> Polydore Virgil, p. 592. <sup>2</sup> Bacon, p. 611. Polyd. Virg. p. 593.

that the king was restrained by doubts and scruples; the prisoner was brought to his trial, condemned, and presently after beheaded. Historians are not agreed, with regard to the crime which was proved against him. The general report is, that he should have said, in confidence to Clifford, that, if he were sure the young man who appeared in Flanders, was really son to king Edward, he never would bear arms against him. The sentiment might disgust Henry, as implying a preference of the house of York to that of Lancaster; but could scarcely be the ground, even in those arbitrary times, of a sentence of high treason against Stanley. It is more probable, therefore, as is asserted by some historians, that he had expressly engaged to assist Perkin, and had actually sent him some supply of money.

The fate of Stanley made great impression on the kingdom, and struck all the partisans of Perkin with the deepest dismay. From Clifford's desertion, they found that all their secrets were betrayed; and, as it appeared that Stanley, while he seemed to live in the greatest confidence with the king, had been continually surrounded by spies, who reported and registered every action in which he was engaged, nay, every word which fell from him, a general distrust took place, and all mutual confidence was destroyed, even among intimate friends and acquaintance. The jealous and severe temper of the king, together with his great reputation for sagacity and penetration, kept men in awe, and quelled, not only the movements of sedition, but the very murmurs of faction. Libels, however, crept out against Henry's person and administration: and being greedily propagated, by every secret art, showed that there still remained, among the people, a considerable root of discontent, which wanted only a proper opportunity to discover itself.

But Henry continued more intent on increasing the terrors of his people, than on gaining their affections. Trusting to the great success which attended him in all his enterprises, he gave, every day, more and more a loose to his rapacious temper, and employed the arts of perverting law and justice, in order to exact fines and compositions from his people. Sir William Capel, alderman of London, was condemned, on some penal statutes, to pay the sum of two thousand seven hundred and forty-three pounds, and was obliged to compound for sixteen hundred and fifteen. This was the first noted case of the kind; but it became a precedent, which prepared the way for many others. The management, indeed, of these arts of chicanery, was the great secret of the king's administration. While he depressed the nobility, he exalted, and honoured, and caressed the lawyers; and, by that means, both bestowed authority on the laws, and was enabled, whenever he pleased, to pervert them to his own advantage. His government was oppressive; but it was so much the less burdensome, as, by his extending royal authority, and curbing the nobles, he became, in reality, the sole oppressor in his kingdom.

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As Perkin found that the king's authority daily gained ground, among the people, and that his own pretensions were becoming obsolete, he resolved to attempt something which might revive the hopes and expectations of his partisans. Having collected a band of outlaws, pirates, and other necessitous persons, of all nations, to the number of six hundred men, he put to sea, with a resolution of making a descent in England, and of exciting the common people to arms, since all his correspondence with the nobility was cut off, by Henry's vigilance and severity. Information being brought him that the king had made a progress to the north, he cast anchor, on the coast of Kent, and sent some of his retainers ashore, who invited the country to join him. The gentlemen of Kent assembled some troops, to oppose him; but they purposed to do more essential service than by repelling the invasion: they carried the semblance of friendship to Perkin, and invited him to come himself ashore, in order to take the command over them. But, the wary youth, observing that they had more order and regularity in their movements, than could be supposed, in new levied forces, who had taken arms against established authority, refused to intrust himself in their hands; and the Kentish troops, despairing of success in their stratagem, fell upon such of his retainers as were already landed; and, besides some whom they slew, they took a hundred and fifty prisoners. These were tried and condemned; and all of them executed, by orders from the king, who was resolved to use no lenity towards men of such desperate fortunes.<sup>1</sup>

## A parliament.

This year a parliament was summoned in England, and another in Ireland; and some remarkable laws were passed in both countries. The English parliament enacted, that no person, who should, by arms or otherwise, assist the king for the time being, should ever afterwards, either by course of law, or act of parliament, be attainted for such an instance of obedience. This statute might be exposed to some censure, as favourable to usurpers; were there any precise rule which always, even during the most factious times, could determine the true successor, and render every one inexcusable who did not submit to him. But as the titles of princes are then the great subject of dispute, and each party pleads topics in its own favour, it seems but equitable to secure those who act in support of public tranquillity, an object, at all times, of undoubted benefit and importance. Henry, conscious of his disputed title, promoted this law, in order to secure his partisans against all events; but, as he had himself observed a contrary practice, with regard to Richard's adherents, he had reason to apprehend, that during the violence which usually ensues on public convulsions, his example, rather than his law, would, in case of a new revolution, be followed by his enemies. And the attempt to bind the legislature itself, by prescribing rules

<sup>1</sup> Polyd. Virg. 595.



to future parliaments, was contradictory to the plainest principles of political government.

This parliament, also, passed an act, empowering the king to levy, by course of law, all the sums which any person had agreed to pay, by way of benevolence: a statute, by which that arbitrary method of taxation was indirectly authorized and justified.

The king's authority appeared equally prevalent and uncontrolled in Ireland. Sir Edward Poynings had been sent over to that country, with an intention of quelling the partisans of the house of York, and of reducing the natives to subjection. He was not supported by forces sufficient for that enterprise: the Irish, by flying into their woods, morasses and mountains, for some time eluded his efforts; but Poynings summoned a parliament at Dublin, where he was more successful. He passed that memorable statute which still bears his name, and which establishes the authority of the English government in Ireland. By this statute all the former laws of England were made to be of force in Ireland; and no bill can be introduced into the Irish parliament, unless it previously receive the sanction of the council of England. This latter clause seems calculated for ensuring the dominion of the English; but was really granted at the desire of the Irish commons, who intended, by that means, to secure themselves from the tyranny of their lords, particularly of such lieutenants or deputies as were of Irish birth.<sup>1</sup>

While Henry's authority was thus established throughout his dominions, and general tranquillity prevailed, the whole continent was thrown into combustion, by the French invasion of Italy, and by the rapid success which attended Charles in that rash and ill concerted enterprise. The Italians, who had entirely lost the use of arms, and who, in the midst of continual wars, had become every day more unwarlike, were astonished to meet an enemy, that made the field of battle, not a pompous tournament, but a scene of blood, and sought, at the hazard of their own lives, the death of their enemy. Their effeminate troops were dispersed every where, on the approach of the French army: their best fortified cities opened their gates: kingdoms and states were, in an instant, overturned; and through the whole length of Italy, which the French penetrated without resistance, they seemed rather to be taking quarters in their own country, than making conquests over an enemy. The maxims which the Italians, during that age, followed, in negotiations, were as ill calculated to support their states, as the habits to which they were addicted in war: a treacherous, deceitful and inconsistent system of politics prevailed; and even those small remains of fidelity and honour, which were preserved in the councils of the other European princes, were ridiculed in Italy, as proofs of ignorance and rusticity. Ludovico, duke of Milan, who invited the French to invade Naples, had

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<sup>1</sup> Sir John Davies, p. 235.

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never desired or expected their success, and was the first that felt terror from the prosperous issue of those projects, which he himself had concerted. By his intrigues, a league was formed among several potentates, to oppose the progress of Charles's conquests, and secure their own independency. This league was composed of Ludovico himself, the pope, Maximilian, king of the Romans, Ferdinand, of Spain, and the republic of Venice. Henry, too, entered into the confederacy; but was not put to any expense or trouble, in consequence of his engagements. The king of France, terrified by so powerful a combination, retired from Naples with the greater part of his army, and returned to France. The forces which he left in his new conquest were, partly by the revolt of the inhabitants, partly by the invasion of the Spaniards, soon after subdued; and the whole kingdom of Naples suddenly returned to its allegiance under Ferdinand, son to Alphonso, who had been suddenly expelled by the irruption of the French. Ferdinand died soon after, and left his uncle, Frederic, in full possession of the throne.

## CHAPTER XXVI.

Perkin retires to Scotland—Insurrection in the west—Battle of Blackheath—Truce with Scotland—Perkin taken prisoner—Perkin executed—The earl of Warwick executed—Marriage of prince Arthur with Catharine of Arragon—His death—Marriage of the princess Margaret with the king of Scotland—Oppressions of the people—A Parliament—Arrival of the King of Castile—Intrigues of the earl of Suffolk—Sickness of the King—His Death—and Character—His laws.

AFTER Perkin was repulsed from the coast of Kent, he retired into Flanders; but as he found it impossible to procure subsistence for himself and his followers, while he remained in tranquillity, he soon after made an attempt upon Ireland, which had always appeared forward to join every invader of Henry's authority. But Poynings had now put the affairs of that island into so good a posture, that Perkin met with little success; and being tired of the savage life, which he was obliged to lead, while skulking among the wild Irish, he bent his course towards Scotland, and presented himself to James IV. who then governed that kingdom. He had been previously recommended to this prince, by the king of France, who was disgusted at Henry, for entering into the general league against him; and this recommendation was even seconded by Maximilian, who, though one of the confederates, was also displeased with the king, on account of his prohibiting, in England, all commerce with the Low Countries. The countenance given to Perkin by these princes, procured him a favourable reception with the king of Scotland, who assured him, that whatever he were, he never should repent putting himself in his hands;<sup>1</sup> the insinuating address and plausible behaviour of the youth himself, seem to have gained him credit and authority. James, whom years had not yet taught distrust or caution, was seduced to believe the story of Perkin's birth and adventures; and he carried his confidence so far, as to give him, in marriage, the lady Catharine Gordon, daughter of the earl of Huntley, and related to himself; a young lady, too, eminent for virtue as well as beauty.

There subsisted, at that time, a great jealousy between the courts of England and Scotland; and James was, probably, the more forward, on that account, to adopt any fiction, which he thought might reduce his enemy to distress or difficulty. He suddenly resolved to make an inroad into England, attended by some of the borderers; and he carried Perkin along with him, in hopes that the appearance of the pretended prince might raise an insurrection in the northern counties. Perkin himself dispersed a manifesto, in which he set forth his own story, and craved the assistance of all his subjects in expelling the usurper; whose

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tires to  
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<sup>1</sup> Bacon, p. 615. Polyd. Virg. p. 596, 597.

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tyranny and maladministration, whose depression of the nobility, by the elevation of mean persons, whose oppression of the people, by multiplied impositions and vexations, had justly, he said, rendered him odious to all men. But Perkin's pretensions, attended with repeated disappointments, were now become stale, in the eyes even of the populace; and the hostile dispositions which subsisted between the kingdoms, rendered a prince, supported by the Scots, but an unwelcome present to the English nation. The ravages, also, committed by the borderers, accustomed to license and disorder, struck a terror into all men; and made the people prepare rather for repelling the invaders than for joining them. Perkin, that he might support his pretensions to royal birth, feigned great compassion for the misery of his plundered subjects; and publicly remonstrated with his ally, against the depredations exercised by the Scottish army:<sup>1</sup> but James told him, that he doubted his concern was employed only in behalf of an enemy, and that he was anxious to preserve what never should belong to him. That prince now began to perceive that his attempt would be fruitless; and hearing of an army, which was on its march to attack him, he thought proper to retreat into his own country.

The king discovered little anxiety to procure either reparation or vengeance for this insult committed on him by the Scottish nation: his chief concern was to draw advantage from it, by the pretence which it might afford him to levy impositions on his own subjects. He summoned a parliament, to whom he made bitter complaints against the irruption of the Scots, the absurd imposture countenanced by that nation, the cruel devastations committed in the northern counties, and the multiplied insults thus offered, both to the king and kingdom of England. The parliament made the expected return to this discourse, by granting a subsidy, to the amount of one hundred and twenty thousand pounds, together with two fifteenths. After making this grant, they were dismissed.

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The vote of parliament for imposing the tax was, without much difficulty, procured by the authority of Henry; but he found it not easy to levy the money upon his subjects. The people, who were acquainted with the immense treasures which he had amassed, could ill brook the new impositions raised on every slight occasion; and it is probable that the flaw, which was universally known to be in his title, made his reign the more subject to insurrections and rebellions. When the subsidy began to be levied in Cornwall, the inhabitants, numerous and poor, robust and courageous, murmured against a tax, occasioned by a sudden inroad of the Scots, from which they esteemed themselves entirely secure, and which had usually been repelled by the force of the northern counties. Their ill humour was farther excited, by one Michael Joseph, a farrier, of Bodmin, a notable

Insurrec-  
tion in the  
west.

<sup>1</sup> Polydore Virg. p. 598.



prating fellow, who, by thrusting himself forward, on every occasion, and being loudest in every complaint against the government, had acquired an authority among those rude people. Thomas Flammoc, too, a lawyer, who had become the oracle of the neighbourhood, encouraged the sedition, by informing them that the tax, though imposed by parliament, was entirely illegal; that the northern nobility were bound, by their tenures, to defend the nation against the Scots; and that if these new impositions were tamely submitted to, the avarice of Henry and of his ministers would soon render the burden intolerable to the nation. The Cornish, he said, must deliver to the king a petition, seconded by such a force as would give it authority; and, in order to procure the concurrence of the rest of the kingdom, care must be taken, by their orderly deportment, to show that they had nothing in view but the public good, and the redress of all those grievances under which the people had so long laboured.

Encouraged by these speeches, the multitude flocked together, and armed themselves with axes, bills, bows, and such weapons as country people are usually possessed of. Flammoc and Joseph were chosen their leaders. They soon conducted the Cornish through the county of Devon, and reached that of Somerset. At Taunton the rebels killed, in their fury, an officious and eager commissioner of the subsidy, whom they called the provost of Perin. When they reached Wells, they were joined by lord Audley, a nobleman of an ancient family, popular in his deportment, but vain, ambitious and restless in his temper. He had, from the beginning, maintained a secret correspondence with the first movers of the insurrection, and was now joyfully received by them, as their leader. Proud of the countenance given them by so considerable a nobleman, they continued their march, breathing destruction to the king's ministers and favourites, particularly to Morton, now a cardinal, and Sir Reginald Bray, who were deemed the most active instruments of all his oppressions. Notwithstanding their rage against the administration, they carefully followed the directions given them by their leaders; and, as they met with no resistance, they committed, during their march, no violence or disorder.

The rebels had been told by Flammoc, that the inhabitants of Kent, as they had ever, during all ages, remained unsubdued, and had even maintained their independence during the Norman conquest, would surely embrace their party, and declare themselves for a cause, which was no other than that of public good and general liberty. But the Kentish people had very lately distinguished themselves, by repelling Perkin's invasion; and as they had received from the king many gracious acknowledgments for this service, their affections were, by that means, much conciliated to his government. It was easy, therefore, for the earl of Kent, lord Abergavenny, and lord Cobham, who possessed great authority in those parts, to retain the people in obedience; and the Cornish

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rebels, though they pitched their camp near Eltham, at the very gates of London, and invited all the people to join them, got reinforcement from no quarter. There wanted not discontents every where, but no one would take part in so rash and ill concerted an enterprise; and besides, the situation in which the king's affairs then stood discouraged even the boldest and most daring.

Henry, in order to oppose the Scots, had already levied an army, which he put under the command of lord Daubeney, the chamberlain; and, as soon as he heard of the Cornish insurrection, he ordered it to march southwards, and suppress the rebels. Not to leave the northern frontier defenceless, he despatched thither the earl of Surrey, who assembled the forces on the borders, and made head against the enemy. Henry found here the concurrence of the three most fatal incidents that can befall a monarchy—a foreign enemy, a domestic rebellion, and a pretender to his crown; but he enjoyed great resources in his army and treasure, and still more in the intrepidity and courage of his own temper. He did not, however, immediately give full scope to his military spirit. On other occasions he had always hastened to a decision; and it was a usual saying with him, *that he desired but to see his rebels*: but as the Cornish mutineers behaved in an inoffensive manner, and committed no spoil on the country; as they received no accession of force on their march, or in their encampment; and as such hasty and popular tumults might be expected to diminish every moment by delay; he took post in London, and assiduously prepared the means of ensuring victory.

Battle of  
Black-  
heath.

After all his forces were collected, he divided them into three bodies, and marched out to assail the enemy. The first body, commanded by the earl of Oxford, and under him by the earls of Essex and Suffolk, were appointed to place themselves behind the hill, on which the rebels were encamped: the second, and most considerable, Henry put under the command of lord Daubeney, and ordered him to attack the enemy in front, and bring on the action. The third he kept as a body of reserve, about his own person, and took post in St. George's Fields; where he secured the city, and could easily, as occasion served, either restore the fight or finish the victory. To put the enemy off their guard, he had spread a report, that he was not to attack them till some days after; and the better to confirm them in this opinion, he began not the action till near the evening. Daubeney beat a detachment of the rebels from Deptford bridge; and, before the main body could be in order to receive him, he had gained the ascent of the hill, and placed himself in array before them. They were formidable from their numbers, being sixteen thousand strong, and were not defective in valour; but being tumultuary troops, ill armed, and not provided with cavalry or artillery, they were but an unequal match for the king's forces. Daubeney began the attack with courage, and even

with a contempt of the enemy, which had almost proved fatal to him. He rushed into the midst of them, and was taken prisoner; but soon after was released by his own troops. After some resistance, the rebels were broken, and put to flight.<sup>1</sup> Lord Audley, Flammoc, and Joseph, their leaders, were taken, and all three executed. The latter seemed even to exult in his end, and boasted, with a preposterous ambition, that he should make a figure in history. The rebels, being surrounded on every side, by the king's troops, were almost all made prisoners, and immediately dismissed, without farther punishment: whether that Henry was satisfied with the victims that had fallen in the field, and who amounted to near two thousand, or that he pitied the ignorance and simplicity of the multitude, or favoured them on account of their inoffensive behaviour, or was pleased, that they had never, during their insurrection, disputed his title, and had shown no attachment to the house of York; the highest crime, of which, in his eyes, they could have been guilty.

The Scottish king was not idle, during these commotions in England. He levied a considerable army, and sat down before the castle of Norham, in Northumberland; but found that place, by the precaution of Fox, bishop of Durham, so well provided, both with men and ammunition, that he made little or no progress in the siege. Hearing that the earl of Surrey had collected some forces, and was advancing upon him, he retreated into his own country, and left the frontiers exposed to the inroads of the English general, who besieged and took Aiton, a small castle lying a few miles beyond Berwick. These unsuccessful or frivolous attempts on both sides, prognosticated a speedy end to the war; and Henry, notwithstanding his superior force, was no less desirous than James, of terminating the differences between the nations. Not to depart, however, from his dignity, by making the first advances, he employed in this friendly office, Peter Hialas, a man of address and learning, who had come to him as ambassador from Ferdinand and Isabella, and who was charged with a commission of negotiating the marriage of the infanta Catharine, their daughter, with Arthur, prince of Wales.<sup>2</sup>

Hialas took a journey northwards, and offered his mediation between James and Henry, as minister of a prince who was in alliance with both potentates. Commissioners were soon appointed to meet and confer on terms of accommodation. The first demand of the English was, that Perkin should be put into their hands: James replied, that he himself was no judge of the young man's pretensions, but having received him as a suppliant, and promised him protection, he was determined not to betray a man who had trusted to his good faith and his generosity. The next demand of the English met with no better reception: they required reparation for the ravages committed

<sup>1</sup> Polydore Virg. p. 601.    <sup>2</sup> Polydore Virgil. p. 603.

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Truce  
with Scot-  
land.

by the late inroads into England: the Scottish commissioners replied, that the spoils were like water, spilt upon the ground, which could never be recovered; and that Henry's subjects were better able to bear the loss, than their master to repair it. Henry's commissioners next proposed, that the two kings should have an interview at Newcastle, in order to adjust all differences; but James said, that he meant to treat of a peace, not to go a begging for it. Lest the conferences should break off, altogether, without effect, a truce was concluded for some months; and James perceiving, that while Perkin remained in Scotland, he himself never should enjoy a solid peace with Henry, privately desired him to depart the kingdom.

Access was now barred Perkin into the Low Countries, his usual retreat, in all his disappointments. The Flemish merchants, who severely felt the loss resulting from the interruption of commerce with England, had made such interest in the archduke's council, that commissioners were sent to London, in order to treat of an accommodation. The Flemish court agreed, that all English rebels should be excluded the Low Countries; and in this prohibition the demesnes of the dutchess dowager were expressly comprehended. When this principal article was agreed to, all the other terms were easily adjusted. A treaty of commerce was finished, which was favourable to the Flemings, and to which they long gave the appellation of *Intercursus magnus*, the great treaty. And when the English merchants returned to their usual abode, at Antwerp, they were publicly received as in procession, with joy and festivity.

Perkin was a Fleming by descent, though born in England; and it might, therefore, be doubted, whether he were included in the treaty between the two nations; but as he must dismiss all his English retainers, if he took shelter in the Low Countries, and as he was sure of a cold reception, if not bad usage, among people who were determined to keep on terms of friendship with the court of England; he thought fit rather to hide himself, during some time, in the wilds and fastnesses of Ireland. Impatient, however, of a retreat, which was both disagreeable and dangerous, he held consultations with his followers, Herne, Skelton, and Astley, three broken tradesmen: by their advice, he resolved to try the affections of the Cornish, whose mutinous disposition, notwithstanding the king's lenity, still subsisted, after the suppression of their rebellion. No sooner did he appear at Bodmin, in Cornwall, than the populace, to the number of three thousand, flocked to his standard; and Perkin, elated with this appearance of success, took on him, for the first time, the appellation of Richard IV. king of England. Not to suffer the expectations of his followers to languish, he presented himself before Exeter; and, by many fair promises, invited that city to join him. Finding that the inhabitants shut their gates against him, he laid siege to the place; but being unprovided with artillery, ammunition, and every thing requisite for the attempt,



he made no progress in his undertaking. Messengers were sent to the king, informing him of this insurrection: the citizens of Exeter, meanwhile, were determined to hold out to the last extremity, in expectation of receiving succour from the well known vigilance of that monarch.

When Henry was informed that Perkin was landed in England, he expressed great joy, and prepared himself, with alacrity, to attack him, in hopes of being able, at length, to put a period to pretensions which had so long given him vexation and inquietude. All the courtiers, sensible that their activity on this occasion would be the most acceptable service which they could render the king, displayed their zeal for the enterprise, and forwarded his preparations. The lords Daubeney and Broke, with Sir Rice ap-Thomas, hastened forward, with a small body of troops, to the relief of Exeter. The earl of Devonshire, and the most considerable gentlemen in the county of that name, took arms of their own accord, and marched to join the king's generals. The duke of Buckingham put himself at the head of a troop, consisting of young nobility and gentry, who served as volunteers, and who longed for an opportunity of displaying their courage and their loyalty. The king himself prepared to follow, with a considerable army; and thus all England seemed united against a pretender, who had at first engaged their attention, and divided their affections.

Perkin, informed of these great preparations, immediately raised the siege of Exeter, and retired to Taunton. Though his followers now amounted to the number of near seven thousand, and seemed still resolute to maintain his cause, he himself despaired of success, and secretly withdrew to the sanctuary of Beaulieu, in the new forest. The Cornish rebels submitted to the king's mercy, and found that it was not yet exhausted in their behalf. Except a few persons of desperate fortunes, who were executed, and some others who were severely fined, all the rest were dismissed with impunity. Lady Catharine Gordon, wife to Perkin, fell into the hands of the victor, and was treated with a generosity which does him honour. He soothed her mind with many marks of regard, placed her in a reputable station about the queen, and assigned her a pension, which she enjoyed even under his successor.

Henry deliberated what course to take with Perkin himself. Some counselled him to make the privileges of the church yield to reasons of state, to take him, by violence, from the sanctuary, to inflict on him the punishment due to his temerity, and thus, at once, put an end to an imposture, which had long disturbed the government, and which the credulity of the people, and the artifices of malcontents, were still capable of reviving. But the king deemed not the matter of such importance as to merit so violent a remedy. He employed some persons to deal with Perkin, and persuaded him, under promise of pardon, to deliver him-

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Perkin  
taken pri-  
soner.

self into the king's hands.<sup>1</sup> The king conducted him, in a species of mock triumph, to London. As Perkin passed along the road, and through the streets of the city, men of all ranks flocked about him, and the populace treated, with the highest derision, his fallen fortunes. They seemed desirous of revenging themselves, by their insults, for the shame which their former belief of his impostures had thrown upon them. Though the eyes of the nation were generally opened, with regard to Perkin's real parentage, Henry required of him a confession of his life and adventures; and he ordered the account of the whole to be dispersed soon after, for the satisfaction of the public. But as his regard to decency made him entirely suppress the share which the dutchess of Burgundy had had in contriving and conducting the imposture, the people, who knew that she had been the chief instrument in the whole affair, were inclined, on account of the silence on that head, to pay the less credit to the authenticity of the narrative.

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But Perkin, though his life was granted him, was still detained in custody; and keepers were appointed to guard him. Impatient of confinement, he broke from his keepers, and, flying to the sanctuary of Shyne, put himself into the hands of the prior of that monastery. The prior had obtained great credit, by his character of sanctity: and he prevailed on the king again to grant a pardon to Perkin. But, in order to reduce him to still greater contempt, he was set in the stocks, at Westminster and Cheapside, and obliged, in both places to read aloud, to the people, the confession which had formerly been published in his name. He was then confined to the Tower, where his habits of restless intrigue and enterprise followed him. He insinuated himself into the intimacy of four servants of Sir John Digby, lieutenant of the Tower; and, by their means, opened a correspondence with the earl of Warwick, who was confined in the same prison. This unfortunate prince, who had, from his earliest youth, been shut up from the commerce of men, and who was ignorant even of the most common affairs of life, had fallen into a simplicity, which made him susceptible of any impression. The continued dread, also, of the more violent effects of Henry's tyranny, joined to the natural love of liberty, engaged him to embrace a project for his escape, by the murder of the lieutenant; and Perkin offered to conduct the whole enterprise. The conspiracy escaped not the king's vigilance: it was even very generally believed, that the scheme had been laid by himself, in order to draw Warwick and Perkin into the snare: but the subsequent execution of two of Digby's servants, for the contrivance, seems to clear the king of that imputation, which was, indeed, founded more on the general idea entertained of his character, than on any positive evidence.

Perkin  
executed.

Perkin, by this new attempt, after so many enormities, had rendered himself totally unworthy of mercy; and he was,

<sup>1</sup> Polyd. Virgil, p. 606.

accordingly, arraigned, condemned, and soon after hanged at Tyburn, persisting still in the confession of his imposture.\* It happened, about that very time, that one Wilford, a cordwainer's son, encouraged by the surprising credit given to other impostures, had undertaken to personate the earl of Warwick; and a priest had even ventured, from the pulpit, to recommend his cause to the people, who seemed still to retain a propensity to adopt it. This incident served Henry as a pretence for his severity towards that prince. He was brought to trial, and accused, not of contriving his escape, (for as he was committed for no crime, the desire of liberty must have been regarded as natural and innocent,) but of forming designs to disturb the government, and raise an insurrection among the people. Warwick confessed the indictment, was condemned, and the sentence was executed upon him.

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21st Nov.  
The earl  
of War-  
wick exe-  
cuted.

This violent act of tyranny, the great blemish of Henry's reign, by which he destroyed the last remaining male of the line of Plantagenet, begat great discontent among the people, who saw an unhappy prince, that had long been denied all the privileges of his high birth, even been cut off from the common benefits of nature, now, at last, deprived of life itself, merely for attempting to shake off that oppression under which he laboured. In vain did Henry endeavour to alleviate the odium of this guilt, by sharing it with his ally, Ferdinand, of Arragon, who, he said, had scrupled to give his daughter, Catharine, in marriage to Arthur, while any male descendant of the house of York remained. Men, on the contrary, felt higher indignation at seeing a young prince sacrificed, not to law and justice, but to the jealous politics of two subtle and crafty tyrants.

But though these discontents festered in the minds of men, they were so checked by Henry's watchful policy and steady severity, that they seemed not to weaken his government; and foreign princes, deeming his throne now entirely secure, paid him rather the greater deference and attention. The archduke Philip, in particular, desired an interview with him; and Henry, who had passed over to Calais, agreed to meet him in St. Peter's church, near that city. The archduke, on his approaching the king, made haste to alight, and offered to hold Henry's stirrup; a mark of condescension which that prince would not admit of. He called the king *father, patron, protector*; and, by his whole behaviour, expressed a strong desire of conciliating the friendship of England. The duke of Orleans had succeeded to the crown of France, by the appellation of Lewis XII. and having carried his arms into Italy, and subdued the dutchy of Milan, his progress begat jealousy in Maximilian, Philip's father, as well as in Ferdinand, his father-in-law. By the counsel, therefore, of these monarchs, the young prince endeavoured, by every art, to acquire the amity of Henry, whom they regarded as the chief counterpoise to the greatness of France. No particular plan, however, of alliance,

\* See note [M] at the end of the volume.

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seems to have been concerted between these two princes, in their interview : all passed in general professions of affection and regard ; at least, in remote projects of a closer union, by the future intermarriages of their children, who were then in a state of infancy.

The pope too, Alexander VI., neglected not the friendship of a monarch, whose reputation was spread over Europe. He sent a nuncio into England, who exhorted the king to take part in the great alliance projected for the recovery of the Holy Land, and to lead, in person, his forces against the infidels. The general frenzy for crusades, was now entirely exhausted in Europe ; but it was still thought a necessary piece of decency to pretend zeal for those pious enterprises. Henry regretted to the nuncio, the distance of his situation, which rendered it inconvenient for him to expose his person in defence of the Christian cause. He promised, however, his utmost assistance, by aids and contributions ; and, rather than the pope should go alone to the holy wars, unaccompanied by any monarch, he even promised to overlook all other considerations, and to attend him in person. He only required, as a necessary condition, that all differences should previously be adjusted among Christian princes, and that some seaport towns in Italy should be consigned to him, for his retreat and security. It was easy to conclude, that Henry had determined not to intermeddle in any war against the Turks : but, as a great name, without any real assistance, is sometimes of service, the knights of Rhodes, who were at that time esteemed the bulwark of Christendom, chose the king protector of their order.

But the prince, whose alliance Henry valued the most, was Ferdinand, of Arragon, whose vigorous and steady policy, always attended with success, had rendered him, in many respects, the most considerable monarch in Europe. There was, also, a remarkable similarity of character between these two princes : both were full of craft, intrigue and design ; and, though a resemblance of this nature be a slender foundation for confidence and amity, where the interests in the parties in the least interfere, such was the situation of Henry and Ferdinand, that no jealousy ever, on any occasion, arose between them. The king had now the satisfaction of completing a marriage, which had been projected and negotiated, during the course of seven years, between Arthur, prince of Wales, and the infanta, Catharine, fourth daughter of Ferdinand and Isabella ; he near sixteen years of age, she eighteen. But this marriage proved, in the issue, unprosperous. The young prince, a few months after, sickened and died, much regretted by the nation. Henry, desirous to continue his alliance with Spain, and also unwilling to restore Catharine's dowry, which was two hundred thousand ducats, obliged his second son, Henry, whom he created prince of Wales, to be contracted to the infanta. The prince made all the opposition of which a youth, of twelve years of age, was capable ; but as the king persisted in

1501.  
Marriage  
of prince  
Arthur,  
with Ca-  
tharine, of  
Arragon.  
12th Nov.  
1502.  
2d April.  
His death.



his resolution, the espousals were, at length, by means of the pope's dispensation, contracted between the parties: an event which was, afterwards, attended with the most important consequences.

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1502.

The same year another marriage was celebrated, which was also, in the next age, productive of great events: the marriage of Margaret, the king's eldest daughter, with James, king of Scotland. This alliance had been negotiated, during three years, though interrupted by several broils; and Henry hoped, from the completion of it, to remove all source of discord with that neighbouring kingdom, by whose animosity England had so often been infested. When this marriage was deliberated on in the English council, some objected, that England might by means of that alliance fall under the dominion of Scotland. "No," replied Henry; "Scotland, in that event, will only become an accession to England." Amidst these prosperous incidents, the king met with a domestic calamity, which made not such impression on him as it merited: his queen died in child-bed; and the infant did not long survive her. This princess was, deservedly, a favourite of the nation; and the general affection for her increased, on account of the harsh treatment which it was thought she met with from her consort.

Marriage  
of the  
princess  
Margaret  
with the  
king of  
Scotland.

1503.  
11th Feb.

The situation of the king's affairs, both at home and abroad, was now, in every respect, very fortunate. All the efforts of the European princes, both in war and negotiation, were turned to the side of Italy; and the various events which there arose, made Henry's alliance be courted by every party, yet interested him so little as never to touch him with concern or anxiety. His close connexions with Spain and Scotland, ensured his tranquillity; and his continued successes over domestic enemies, owing to the prudence and vigour of his conduct, had reduced the people to entire submission and obedience. Uncontrolled, therefore, by apprehension or opposition, of any kind, he gave full scope to his natural propensity; and avarice, which had ever been his ruling passion, being increased by age, and encouraged by absolute authority, broke all restraints of shame or justice. He had found two ministers, Empson and Dudley, perfectly qualified to second his rapacious and tyrannical inclinations, and to prey upon his defenceless people. These instruments of oppression, were both lawyers; the first of mean birth, of brutal manners, of an unrelenting temper; the second better born, better educated, and better bred, but equally unjust, severe, and inflexible. By their knowledge in law, these men were qualified to pervert the forms of justice to the oppression of the innocent; and the formidable authority of the king, supported them in all their iniquities.

Oppres-  
sions of  
the peo-  
ple.

It was their usual practice, at first, to observe so far the appearance of law, as to give indictments to those whom they intended to oppress: upon which the persons were committed to prison, but never brought to trial; and were at length obliged,

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1503.

in order to recover their liberty, to pay heavy fines and ransoms, which were called mitigations and compositions. By degrees, the very appearance of law was neglected: the two ministers sent forth their precepts to attach men, and summon them before themselves and some others, at their private houses, in a court of commission, where, in a summary manner, without trial or jury, arbitrary decrees were issued, both in pleas of the crown, and controversies between private parties. Juries themselves, when summoned, proved but small security to the subject; being browbeaten by these oppressors; nay, fined, imprisoned, and punished, if they gave sentence against the inclination of the ministers. The whole system of the feudal law, which still prevailed, was turned into a scheme of oppression. Even the king's wards, after they came of age, were not suffered to enter into possession of their lands, without paying exorbitant fines. Men were also harassed with informations of intrusion upon scarce colourable titles. When an outlawry in a personal action was issued against any man, he was not allowed to purchase his charter of pardon, except on the payment of a great sum; and if he refused the composition required of him, the strict law, which, in such cases, allows forfeiture of goods, was rigorously insisted on. Nay, without any colour of law, the half of men's lands and rents were seized, during two years, as a penalty, in case of outlawry. But the chief means of oppression, employed by these ministers, were the penal statutes, which, without consideration of rank, quality, or services, were rigidly put in execution against all men: spies, informers, and inquisitors, were rewarded and encouraged, in every quarter of the kingdom: and no difference was made, whether the statute were beneficial or hurtful, recent or obsolete, possible or impossible, to be executed. The sole end of the king and his ministers was, to amass money, and bring every one under the lash of their authority.<sup>1</sup>

Through the prevalence of such an arbitrary and iniquitous administration, the English, it may safely be affirmed, were considerable losers by their ancient privileges, which secured them from all taxations, except such as were imposed, by their own consent, in parliament. Had the king been empowered to levy general taxes, at pleasure, he would naturally have abstained from these oppressive expedients, which destroyed all security in private property, and begat an universal diffidence throughout the nation. In vain did the people look for protection from the parliament, which was pretty frequently summoned during this reign. That assembly was so overawed, that at this very time, during the greatest rage of Henry's oppressions, the commons chose Dudley their speaker, the very man who was the chief instrument of his iniquities. And though the king was known to be immensely opulent, and had no pretence of wars or extensive enterprises, of any kind, they grant-

1504.  
28th Jan.  
A parliament.

<sup>1</sup> Bacon, p. 629, 630. Holingshed, p. 501. Polyd. Virg. p. 613, 614

ed him the subsidy which he demanded. But so insatiable was his avarice, that next year he levied a new benevolence, and renewed that arbitrary and oppressive method of taxation. By all these arts of accumulation, joined to a rigid frugality in his expense, he so filled his coffers, that he is said to have possessed, in ready money, the sum of one million eight hundred thousand pounds: a treasure almost incredible, if we consider the scarcity of money in those times.<sup>1</sup>

But while Henry was enriching himself by the spoils of his oppressed people, there happened an event abroad, which engaged his attention, and was even the object of his anxiety and concern. Isabella, queen of Castile, died about this time; and it was foreseen, that, by this incident, the fortunes of Ferdinand, her husband, would be much affected. The king was not only attentive to the fate of his ally, and watchful, lest the general system of Europe should be affected by so important an event: he also considered the similarity of his own situation, with that of Ferdinand, and regarded the issue of these transactions as a precedent for himself. Joan, the daughter of Ferdinand, by Isabella, was married to the archduke Philip, and being, in right of her mother, heir of Castile, seemed entitled to dispute, with Ferdinand, the present possession of that kingdom. Henry knew, that notwithstanding his own pretensions, by the house of Lancaster, the greater part of the nation was convinced of the superiority of his wife's title; and he dreaded, lest the prince of Wales, who was daily advancing towards manhood, might be tempted by ambition, to lay immediate claim to the crown. By his perpetual attention to depress the partisans of the York family, he had more closely united them into one party, and increased their desire of shaking off that yoke, under which they had so long laboured, and of taking every advantage which his oppressive government should give his enemies against him. And, as he possessed no independent force, like Ferdinand, and governed a kingdom more turbulent and unruly, which he himself, by his narrow politics, had confirmed in factious prejudices, he apprehended, that his situation would prove, in the issue, still more precarious.

Nothing, at first, could turn out more contrary the king's wishes, than the transactions in Spain. Ferdinand, as well as Henry, had become very unpopular, and from a like cause, his former exactions and impositions; and the states of Castile discovered an evident resolution of preferring the title of Philip and

<sup>1</sup> Silver was, during this reign, at thirty-seven shillings and six pence a pound, which makes Henry's treasure near three millions of our present money. Besides, many commodities have become above thrice as dear by the increase of gold and silver in Europe. And what is a circumstance of still greater weight, all other states were then very poor, in comparison of what they are at present. These circumstances make Henry's treasure appear very great: and may lead us to conceive the oppressions of his government.

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Arrival of  
the king of  
Castile.

Joan. In order to take advantage of these favourable dispositions, the archduke, now king of Castile, attended by his consort, embarked for Spain, during the winter season; but, meeting with a violent tempest, in the channel, was obliged to take shelter in the harbour of Weymouth. Sir John Trenchard, a gentleman of authority, in the county of Dorset, hearing of a fleet upon the coast, had assembled some forces, and, being joined by Sir John Cary, who was, also, at the head of an armed body, he came to that town. Finding that Philip, in order to relieve his sickness and fatigue, was already come ashore, he invited him to his house; and immediately despatched a messenger to inform the court of this important incident. The king sent, in all haste, the earl of Arundel, to compliment Philip on his arrival in England, and to inform him that he intended to pay him a visit in person, and to give him a suitable reception in his dominions. Philip knew that he could not now depart, without the king's consent; and, therefore, for the sake of despatch, he resolved to anticipate his visit, and to have an interview with him at Windsor. Henry received him with all the magnificence possible, and with all the seeming cordiality; but he resolved, notwithstanding, to draw some advantage from this involuntary visit, paid him by his royal guest.

Intrigues  
of the earl  
of Suffolk.

Edmond de la Pole, earl of Suffolk, nephew to Edward IV. and brother to the earl of Lincoln, slain in the battle of Stoke, had some years before killed a man, in a sudden fit of passion, and had been obliged to apply to the king for a remission of the crime. The king had granted his request; but being little indulgent to all persons connected with the house of York, he obliged him to appear openly, in court, and plead his pardon. Suffolk, more resenting the affront, than grateful for the favour, had fled into Flanders, and taken shelter, with his aunt, the dutchess of Burgundy: but being promised forgiveness by the king, he returned to England, and obtained a new pardon. Actuated, however, by the natural inquietude of his temper, and uneasy, from debts which had been contracted, by his great expense at prince Arthur's wedding, he again made an elopement into Flanders. The king, well acquainted with the general discontent which prevailed against his administration, neglected not this incident, which might become of importance; and he employed his usual artifices to elude the efforts of his enemies. He directed Sir Robert Curson, governor of the castle of Hammes, to desert his charge, and to insinuate himself into the confidence of Suffolk, by making him a tender of his services. Upon information, secretly conveyed, by Curson, the king seized William Courtney, eldest son to the earl of Devonshire, and married to the lady Catharine, sister of the queen; William de la Pole, brother to the earl of Suffolk; Sir James Tyrrel, and Sir James Windham, with some persons of inferior quality; and he committed them to custody. Lord Abergavenny and Sir Thomas Green, were also apprehended; but were, soon after, released



from their confinement. William de la Pole was long detained in prison; Courtney was attainted, and though not executed, he recovered not his liberty, during the king's lifetime. But Henry's chief severity fell upon Sir James Windham and Sir James Tyrrel, who were brought to their trial, condemned and executed: the fate of the latter gave general satisfaction, on account of his participation in the murder of the young princes, sons of Edward IV. Notwithstanding these discoveries and executions, Curson was still able to maintain his credit with the earl of Suffolk: Henry, in order to remove all suspicion, had ordered him to be excommunicated, together with Suffolk himself, for his pretended rebellion. But after that traitor had performed all the services expected from him, he suddenly deserted the earl, and came over to England, where the king received him with unusual marks of favour and confidence. Suffolk, astonished at this instance of perfidy, finding that even the dutchess of Burgundy, tired with so many fruitless attempts, had become indifferent to his cause, fled secretly into France, thence into Germany, and returned, at last, into the Low Countries; where he was protected, though not countenanced, by Philip, then in close alliance with the king.

Henry neglected not the present opportunity of complaining to his guest, of the reception which Suffolk had met with in his dominions. "I really thought," replied the king of Castile, "that your greatness and felicity had set you far above apprehensions from any person of so little consequence: but, to give you satisfaction, I shall banish him my state." "I expect that you will carry your complaisance farther," said the king; "I desire to have Suffolk put into my hands, where, alone, I can depend upon his submission and obedience." "That measure," said Philip, "will reflect dishonour upon you as well as myself. You will be thought to have treated me as a prisoner." "Then the matter is at an end," replied the king, "for I will take that dishonour upon me; and so your honour is saved."<sup>1</sup> The king of Castile found himself under a necessity of complying; but he first exacted Henry's promise, that he would spare Suffolk's life. That nobleman was invited over to England, by Philip; as if the king would grant him a pardon, on the intercession of his friend and ally. Upon his appearance, he was committed to the Tower; and the king of Castile, having fully satisfied Henry, as well by this concession as by signing a treaty of commerce between England and Castile, which was advantageous to the former kingdom,<sup>2</sup> was at last allowed to depart, after a stay of three months. He landed in Spain, was joyfully received by the Castilians, and put in possession of the throne. He died, soon after; and Joan, his widow, falling into deep melancholy, Ferdinand was again enabled to reinstate him-

<sup>1</sup> Bacon, p. 633.    <sup>2</sup> Rymer, vol. viii. p. 142.

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1508.

Sickness  
of the  
king.

self in authority, and to govern, till the day of his death, the whole Spanish monarchy.

The king survived these transactions two years; but nothing memorable occurs in the remaining part of his reign, except his affiancing his second daughter, Mary, to the young archduke, Charles, son of Philip, of Castile. He entertained, also, some intentions of marriage for himself, first with the queen dowager of Naples, relict of Ferdinand; afterwards with the dutchess dowager of Savoy, daughter of Maximilian, and sister of Philip. But the decline of his health put an end to all such thoughts; and he began to cast his eye towards that future existence, which the iniquities and severities of his reign rendered a very dismal prospect to him. To allay the terrors under which he laboured, he endeavoured, by distributing alms, and founding religious houses, to make atonement for his crimes, and to purchase, by the sacrifice of part of his ill gotten treasures, a reconciliation with his offended Maker. Remorse even seized him, at intervals, for the abuse of his authority, by Empson and Dudley; but not sufficient to make him stop the rapacious hand of those oppressors. Sir William Capel was again fined two thousand pounds, under some frivolous pretence, and was committed to the Tower, for daring to murmur against the iniquity. Harris, an alderman of London, was indicted, and died of vexation, before his trial came to an issue. Sir Laurence Ailmer, who had been mayor, and his two sheriffs, were condemned, in heavy fines, and sent to prison, till they made payment. The king gave countenance to all these oppressions, till death, by its nearer approaches, impressed new terrors upon him; and he then ordered, by a general clause in his will, that restitution should be made to all those whom he had injured. He died of a consumption, at his favourite palace of Richmond, after a reign of twenty-three years and eight months, and in the fifty-second year of his age.<sup>1</sup>

1509.  
22d April.  
His death

and cha-  
racter.

The reign of Henry VII. was, in the main, fortunate for his people at home, and honourable abroad. He put an end to the civil wars, with which the nation had long been harassed; he maintained peace and order in the state; he depressed the former exorbitant power of the nobility; and, together with the friendship of some foreign princes, he acquired the consideration and regard of all. He loved peace, without fearing war; though agitated with continual suspicions of his servants and ministers, he discovered no timidity, either in the conduct of his affairs, or in the day of battle; and though often severe in his punishments, he was commonly less actuated by revenge than by maxims of policy. The services which he rendered the people were derived from his views of private advantage, rather than the motives of public spirit; and where he deviated from interested regards, it was unknown to himself, and ever from the

<sup>1</sup> Dudg. Baronage II. p. 237.

malignant prejudices of faction, or the mean projects of avarice; not from the sallies of passion, or allurements of pleasure; still less from the benign motives of friendship and generosity. His capacity was excellent, but somewhat contracted by the narrowness of his heart; he possessed insinuation and address, but never employed these talents, except where some great point of interest was to be gained; and, while he neglected to conciliate the affections of his people, he often felt the danger of resting his authority on their fear and reverence alone. He was always extremely attentive to his affairs: but possessed not the faculty of seeing far into futurity, and was more expert at providing a remedy for his mistakes, than judicious in avoiding them. Avarice was, on the whole, his ruling passion;<sup>1</sup> and he remains an instance, almost singular, of a man placed in a high station, and possessed of talents for great affairs, in whom that passion predominated above ambition. Even among private persons, avarice is commonly nothing but a species of ambition, and is chiefly incited by the prospect of that regard, distinction, and consideration, which attend on riches.

The power of the kings of England had always been somewhat irregular or discretionary; but was scarcely ever so absolute, during any former reign, at least after the establishment of the Great Charter, as during that of Henry. Besides the advantages derived from the personal character of the man, full of vigour, industry, and severity, deliberate in all projects, steady in every purpose, and attended with caution, as well as good fortune, in every enterprise; he came to the throne, after long and bloody civil wars, which had destroyed all the great nobility, who alone could resist the encroachments of his authority: the people were tired with discord and intestine convulsions, and willing to submit to usurpations, and even to injuries, rather than plunge themselves anew into like miseries: the fruitless efforts made against him served always, as is usual, to confirm his authority: as he ruled by a faction, and the lesser faction, all those on whom he conferred offices, sensible that they owed every thing to his protection, were willing to support his power, though at the expense of justice and national privileges. These seem the chief causes, which, at this time, bestowed on the crown so considerable an addition of prerogative, and rendered the present reign a kind of epoch in the English constitution.

This prince, though he exalted his prerogative above law, is His Laws celebrated, by his historian, for many good laws, which he made

<sup>1</sup> As a proof of Henry's attention to the smallest profits, Bacon tells us, that he had seen a book of accounts, kept by Empson, and subscribed in almost every leaf by the king's own hand. Among other articles, was the following: "*Item*, Received, of such a one, five marks, for a pardon, which, 'if it do not pass, the money to be repayed, or the party otherwise satisfied.'" Opposite to the memorandum the king had writ with his own hand, "otherwise satisfied." Bacon, p. 630.

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an industrious tradesman is both a better man and a better citizen than one of those idle retainers, who formerly depended on the great families, so much is the life of a modern nobleman more laudable than that of an ancient baron.\*

But the most important law, in its consequences, which was enacted during the reign of Henry, was that by which the nobility and gentry acquired a power of breaking the ancient entails, and of alienating their estates.<sup>1</sup> By means of this law, joined to the beginning luxury and refinement of the age, the great fortunes of the barons were gradually dissipated, and the property of the commons increased in England. It is probable that Henry foresaw and intended this consequence; because the constant scheme of his policy consisted in depressing the great, and exalting churchmen, lawyers, and men of new families, who were more dependent on him.

The king's love of money naturally led him to encourage commerce, which increased his customs; but, if we may judge by most of the laws enacted during his reign, trade and industry were rather hurt than promoted, by the care and attention given to them. Severe laws were made against taking interest for money, which was then denominated usury.<sup>2</sup> Even the profits of exchange were prohibited, as savouring of usury,<sup>3</sup> which the superstition of the age zealously proscribed. All evasive contracts, by which profits could be made from the loan of money, were, also, carefully guarded against.<sup>4</sup> It is needless to observe how unreasonable and iniquitous were these laws; how impossible to be executed, and how hurtful to trade, if they could take place. We may observe, however, to the praise of this king, that sometimes, in order to promote commerce, he lent to merchants sums of money, without interest, when he knew that their stock was not sufficient for those enterprises which they had in view.<sup>5</sup>

Laws were made against the exportation of money, plate, or bullion:<sup>6</sup> a precaution which serves to no other purpose than to make more be exported. But so far was the anxiety on this head carried, that merchants alien, who imported commodities into the kingdom, were obliged to invest, in English commodities, all the money acquired by their sales, in order to prevent their conveying it away in a clandestine manner.<sup>7</sup>

It was prohibited to export horses, as if that exportation did not encourage the breed, and render them more plentiful in the kingdom.<sup>8</sup> In order to promote archery, no bows were to be

\* See note [O] at the end of the volume. <sup>1</sup> 4 H. 7. cap. 24. The practice of breaking entails, by means of a fine and recovery, was introduced in the reign of Edward the IVth: but it was not, properly speaking, law, till the statute of Henry the VIIIth; which, by correcting some abuses that attended that practice, gave indirectly a sanction to it. <sup>2</sup> 3 H. 7. cap. 5. <sup>3</sup> Ibid. cap. 6. <sup>4</sup> 7 H. 7. cap. 8. <sup>5</sup> Polyd. Virg. <sup>6</sup> 4 H. 7. cap. 23. <sup>7</sup> 3 H. 7. cap. 8. <sup>8</sup> 11 H. 7. cap. 13.



sold at a higher price than six shillings and four pence,<sup>1</sup> reducing money to the denomination of our time. The only effect of this regulation must be, either that the people would be supplied with bad bows, or none at all. Prices were also affixed to woollen cloth,<sup>2</sup> to caps and hats:<sup>3</sup> and the wages of labourers were regulated by law.<sup>4</sup> It is evident, that matters ought always to be let free, and be intrusted to the common course of business and commerce. To some, it may appear surprising, that the price of a yard of scarlet cloth should be limited to six and twenty shillings, money of our age; that of a yard of coloured cloth to eighteen; higher prices than these commodities bear at present; and that the wages of a tradesman, such as a mason, bricklayer, tiler, &c. should be regulated at near ten pence a day; which is not much inferior to the present wages given, in some parts of England. Labour and commodities have certainly risen, since the discovery of the West Indies; but not so much, in every particular, as is generally imagined. The greater industry of the present times, has increased the number of tradesmen and labourers, so as to keep wages nearer a par than could be expected, from the great increase of gold and silver. And the additional art employed in the finer manufactures, has even made some of these commodities fall below their former value; not to mention that merchants and dealers, being contented with less profit than formerly, afford the goods cheaper to their customers. It appears, by a statute of this reign,<sup>5</sup> that goods, bought for sixteen pence, would sometimes be sold by the merchants for three shillings. The commodities, whose price has chiefly risen, are butchers' meat, fowl, and fish (especially the latter), which cannot be much augmented in quantity by the increase of art and industry. The profession which then abounded most, and was sometimes embraced by persons of the lowest rank, was the church: by a clause of a statute, all clerks or students of the university were forbidden to beg, without a permission from the vice-chancellor.<sup>6</sup>

One great cause of the low state of industry, during this period, was the restraints put upon it; and the parliament, or rather the king (for he was the prime mover in every thing), enlarged a little some of these limitations, but not to the degree that was requisite. A law had been enacted, during the reign of Henry IV.<sup>7</sup> that no man could bind his son or daughter to an apprenticeship, unless he were possessed of twenty shillings a year, in land; and Henry VII. because the decay of manufactures was complained of, in Norwich, from the want of hands, exempted that city from the penalties of the law.<sup>8</sup> Afterwards the whole county of Norfolk obtained a like exemption, with regard to some branches of the woollen manufacture.<sup>9</sup> These absurd limitations proceeded from a desire of promoting hus-

<sup>1</sup> 3 H. 7. cap. 12. <sup>2</sup> 4 H. 7. cap. 8. <sup>3</sup> Ibid. cap. 9. <sup>4</sup> 11 H. 7. cap. 22.  
<sup>5</sup> 4 H. 7. cap. 9. <sup>6</sup> 11 H. 7. cap. 22. <sup>7</sup> 7 H. 4. cap. 17. <sup>8</sup> 11 H. 7. cap. 11.  
<sup>9</sup> 12 H. 7. cap. 1.

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bandry, which, however, is never more effectually encouraged, than by the increase of manufactures. For a like reason, the law enacted against inclosures, and for the keeping up of farm-houses,<sup>1</sup> scarcely deserves the high praises bestowed on it by lord Bacon. If husbandmen understand agriculture, and have a ready vent for their commodities, we need not dread a diminution of the people employed in the country. All methods of supporting populousness, except by the interest of the proprietors, are violent and ineffectual. During a century and a half, after this period, there was a frequent renewal of laws and edicts against depopulation; whence we may infer, that none of them were ever executed. The natural course of improvement, at last, provided a remedy.

One check to industry, in England, was the erecting of corporations; an abuse which is not yet entirely corrected. A law was enacted, that corporations should not pass any by-laws, without the consent of three of the chief officers of state.<sup>2</sup> They were prohibited from imposing tolls at their gates.<sup>3</sup> The cities of Gloucester and Worcester had even imposed tolls on the Severne, which were abolished.<sup>4</sup>

There is a law of his reign,<sup>5</sup> containing a preamble, by which it appears, that the company of merchant adventurers, in London, had, by their own authority, debarred all the other merchants of the kingdom from trading to the great marts in the Low Countries, unless each trader previously paid them the sum of near seventy pounds. It is surprising that such a by-law (if it deserve the name) could ever be carried into execution, and that the authority of parliament should be requisite to abrogate it.

It was during this reign, on the second of August, 1492, a little before sunset, that Christopher Columbus, a Genoese, set out from Spain, on his memorable voyage for the discovery of the western world; and a few years after, Vasquez de Gama, a Portuguese, passed the Cape of Good Hope, and opened a new passage to the East Indies. These great events were attended with important consequences to all the nations of Europe, even to such as were not immediately concerned in those naval enterprises. The enlargement of commerce and navigation increased industry and the arts every where: the nobles dissipated their fortunes in expensive pleasures: men of an inferior rank, both acquired a share in the landed property, and created to themselves a considerable property, of a new kind, in stock, commodities, art, credit, and correspondence. In some nations, the privileges of the commons increased by this increase of property: in most nations, the kings, finding arms to be dropped by the barons, who would no longer endure their former rude manner of life, established standing armies, and subdued the

<sup>1</sup> 4 H. 7. cap. 19. <sup>2</sup> 19 H. 7. cap. 7. <sup>3</sup> Ibid. cap. 8. <sup>4</sup> Ibid. cap. 19. <sup>5</sup> 12 H. 7. cap. 6.

liberties of their kingdoms: but in all places, the condition of the people, from the depression of the petty tyrants, by whom they had formerly been oppressed, rather than governed, received great improvement; and they acquired, if not entire liberty, at least the most considerable advantages of it. And as the general course of events thus tended to depress the nobles and exalt the people, Henry VII., who also embraced that system of policy, has acquired more praise, than his institutions, strictly speaking, seem of themselves to deserve, on account of any profound wisdom attending them.

It was by accident only, that the king had not a considerable share in those great naval discoveries, by which the present age was so much distinguished. Columbus, after meeting with many repulses from the courts of Portugal and Spain, sent his brother, Bartholomew, to London, in order to explain his projects to Henry, and crave his protection for the execution of them. The king invited him over to England; but his brother, being taken by pirates, was detained in his voyage; and Columbus, meanwhile, having obtained the countenance of Isabella, was supplied with a small fleet, and happily executed his enterprise. Henry was not discouraged by this disappointment; he fitted out Sebastian Cabot, a Venetian, settled in Bristol; and sent him westwards, in 1498, in search of new countries. Cabot discovered the main land of America, towards the sixtieth degree of northern latitude: he sailed southwards, along the coast, and discovered Newfoundland, and other countries; but returned to England, without making any conquest or settlement. Elliot, and other merchants, in Bristol, made a like attempt, in 1502.<sup>1</sup> The king expended fourteen thousand pounds, in building one ship, called the *Great Harry*.<sup>2</sup> She was, properly speaking, the first ship in the English navy. Before this period, when the prince wanted a fleet, he had no other expedient than hiring or pressing ships from the merchants.

But though this improvement of navigation, and the discovery of both the Indies, was the most memorable incident that happened during this or any other period, it was not the only great event by which the age was distinguished. In 1453, Constantinople was taken, by the Turks; and the Greeks, among whom some remains of learning were still preserved, being scattered by these barbarians, took shelter in Italy, and imported, together with their admirable language, a tincture of their science, and of their refined taste in poetry and eloquence. About the same time, the purity of the Latin tongue was revived, the study of antiquity became fashionable, and the esteem for literature gradually propagated itself throughout every nation in Europe. The art of printing, invented about that time, extremely facilitated the progress of all these improvements; the invention of gunpowder changed the whole art of war: mighty innovations

<sup>1</sup> Rymer, vol. xiii. p. 37.<sup>2</sup> Stowe, p. 484.

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were, soon after, made in religion, such as not only affected those states that embraced them, but even those that adhered to the ancient faith and worship : and thus a general revolution was made in human affairs, throughout this part of the world ; and men gradually attained that situation, with regard to commerce, arts, science, government, police, and cultivation, in which they have ever since persevered. Here, therefore, commences the useful, as well as the more agreeable part of modern annals ; certainty has place in all the considerable, and even most of the minute parts of historical narration ; a great variety of events, preserved by printing, give the author the power of selecting, as well as adorning, the facts which he relates ; and as each incident has a reference to our present manners and situation, instructive lessons occur, every moment, during the course of the narration. Whoever carries his anxious researches into preceding periods, is moved by a curiosity, liberal, indeed, and commendable ; not by any necessity for acquiring knowledge of public affairs, or the arts of civil government.







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## CHAPTER XXVII.

## HENRY VIII.

Popularity of the new king—His Ministers—Punishment of Empson and Dudley—King's Marriage—Foreign Affairs—Julius II.—League of Cambray—War with France—Expedition to Fontarabia—Deceit of Ferdinand—Return of the English—Leo X.—A Parliament—War with Scotland—Wolsey Minister—His Character—Invasion of France—Battle of Guinegate—Battle of Flouden—Peace with France.

THE death of Henry VII. had been attended with as open and visible a joy, among the people, as decency would permit; and the accession and coronation of his son, Henry VIII. spread, universally, a declared and unfeigned satisfaction. Instead of a monarch, jealous, severe, and avaricious, who, in proportion as he advanced in years, was sinking still deeper in those unpopular vices, a young prince of eighteen had succeeded to the throne, who, even in the eyes of men of sense, gave promising hopes of his future conduct, much more in those of the people, always enchanted with novelty, youth and royal dignity. The beauty and vigour of his person, accompanied with dexterity in every manly exercise, was farther adorned, with a blooming and ruddy countenance, with a lively air, with the appearance of spirit and activity, in all his demeanor.<sup>1</sup> His father, in order to remove him from the knowledge of public business, had hitherto occupied him entirely in the pursuits of literature; and the proficiency which he made, gave no bad prognostic of his parts and capacity.<sup>2</sup> Even the vices of vehemence, ardour, and impatience, to which he was subject, and which afterwards degenerated into tyranny, were considered only as faults incident to unguarded youth, which would be corrected, when time had brought him to greater moderation and maturity. And as the contending titles of York and Lancaster, were now, at last, fully united in his person, men justly expected from a prince, obnoxious to no party, that impartiality of administration which had long been unknown in England.

These favourable prepossessions of the public, were encouraged by the measures which Henry embraced in the commencement of his reign. His grandmother, the countess of Richmond and Derby, was still alive; and as she was a woman much celebrated for prudence and virtue, he wisely showed great deference to her opinion, in the establishment of his new council. The members were Warham, archbishop of Canterbury, and His ministers. chancellor; the earl of Shrewsbury, steward; lord Herbert, chamberlain; Sir Thomas Lovel, master of the wards, and constable of the Tower: Sir Edward Poynings, comptroller; Sir

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of the  
new king.

<sup>1</sup> T. Mori Lucubr. p. 182.    <sup>2</sup> Father Paul, lib. i.

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Henry Marney, afterwards lord Marney; Sir Thomas Darcy, afterwards lord Darcy; Thomas Ruthal, doctor of laws; and Sir Henry Wyat.<sup>1</sup> These men had long been accustomed to business under the late king, and were the least unpopular of all the ministers employed by that monarch.

But the chief competitors for favour and authority, under the new king, were the earl of Surrey, treasurer, and Fox, bishop of Winchester, secretary and privy seal. This prelate, who enjoyed great credit, during all the former reign, had acquired such habits of caution and frugality, as he could not easily lay aside; and he still opposed, by his remonstrances, those schemes of dissipation and expense, which the youth and passions of Henry rendered agreeable to him. But Surrey was a more dexterous courtier; and though few had borne a greater share in the frugal politics of the late king, he knew how to conform himself to the humour of his new master; and no one was so forward in promoting that liberality, pleasure, and magnificence, which began to prevail under the young monarch.<sup>2</sup> By this policy, he ingratiated himself with Henry; he made advantage, as well as the other courtiers, of the lavish disposition of his master; and he engaged him in such a course of play and idleness, as rendered him negligent of affairs, and willing to intrust the government of the state entirely into the hands of his ministers. The great treasures amassed by the late king, were gradually dissipated, in the giddy expenses of Henry. One party of pleasure succeeded to another; tilts, tournaments, and carousals, were exhibited, with all the magnificence of the age: and as the present tranquillity of the public permitted the court to indulge itself in every amusement, serious business was but little attended to. Or, if the king intermitted the course of his festivity, he chiefly employed himself in an application to music and literature, which were his favourite pursuits, and which were well adapted to his genius. He had made such proficiency in the former art, as even to compose some pieces of church music, which were sung in his chapel.<sup>3</sup> He was initiated in the elegant learning of the ancients. And though he was so unfortunate as to be seduced into a study of the barren controversies of the schools, which were then fashionable, and had chosen Thomas Aquinas for his favourite author, he still discovered a capacity fitted for more useful and entertaining knowledge.

The frank and careless humour of the king, as it led him to dissipate the treasures amassed by his father, rendered him negligent in protecting the instruments whom that prince had employed in his extortions. A proclamation being issued, to encourage complaints, the rage of the people was let loose on all informers, who had so long exercised an unbounded tyranny over the nation:<sup>4</sup> they were thrown into prison, condemned to

<sup>1</sup> Herbert, Stowe, p. 486. Holingshed, p. 799. <sup>2</sup> Lord Herbert. <sup>3</sup> Ibid

<sup>4</sup> Herbert, Stowe, p. 486. Holingshed, p. 799. Polyd. Virg. lib. 28.



the pillory, and most of them lost their lives, by the violence of the populace. Empson and Dudley, who were most exposed to public hatred, were immediately summoned before the council, in order to answer for their conduct, which had rendered them so obnoxious. Empson made a shrewd apology for himself, as well as for his associate. He told the council, that so far from his being justly exposed to censure, for his past conduct, his enemies themselves grounded their clamour on actions which seemed rather to merit reward and approbation: that a strict execution of law was the crime of which he and Dudley were accused; though that law had been established by general consent, and though they had acted in obedience to the king, to whom the administration of justice was intrusted by the constitution: that it belonged not to them, who were instruments in the hands of supreme power, to determine what laws were recent or obsolete, expedient or hurtful; since they were all alike valid, so long as they remained unrepealed by the legislature; that it was natural for a licentious people to murmur against the restraints of authority; but all wise states had ever made their glory consist in the just distributions of rewards and punishments, and had annexed the former to the observance and enforcement of the laws, the latter to their violation and infraction: and, that a sudden overthrow of all government might be expected, where the judges were committed to the mercy of the criminals, the rulers to that of the subjects.<sup>1</sup>

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Punish-  
ment of  
Empson  
& Dudley.

Notwithstanding this defence, Empson and Dudley were sent to the Tower; and, soon after, brought to their trial. The strict execution of laws, however obsolete, could never be imputed to them, as a crime, in a court of judicature: and it is likely, that, even where they had exercised arbitrary power, the king, as they had acted by the secret commands of his father, was not willing that their conduct should undergo too severe a scrutiny. In order, therefore, to gratify the people with the punishment of these obnoxious ministers, crimes very improbable, or, indeed, absolutely impossible, were charged upon them; that they had entered into a conspiracy against the sovereign, and had intended, on the death of the late king, to have seized, by force, the administration of government. The jury were so far moved, by popular prejudices, joined to court influence, as to give a verdict against them; which was afterwards confirmed by a bill of attainder in parliament,<sup>2</sup> and at the earnest desire of

<sup>1</sup> Herbert, Holingshed, p. 804. <sup>2</sup> This parliament met on the 21st January, 1510. A law was there enacted, in order to prevent some abuses, which had prevailed during the late reign. The forfeiture upon the penal statutes, was reduced to the term of three years. Costs and damages were given against informers, upon acquittal of the accused: more severe punishments were enacted against perjury: the false inquisitions, procured by Empson and Dudley, were declared null and invalid. Traversers were allowed; and the time of tendering them enlarged. 1 H. 8. c. 8, 10, 11, 12.

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King's  
marriage.

3d June.

Foreign  
affairs.

the people, was executed, by warrant, from the king. Thus, in those arbitrary times, justice was equally violated, whether the king sought power and riches, or courted popularity.

Henry, while he punished the instruments of past tyranny, had yet such deference to former engagements, as to deliberate, immediately after his accession, concerning the celebration of his marriage with the infanta Catharine, to whom he had been affianced during his father's lifetime. Her former marriage, with his brother, and the inequality of their years, were the chief objections urged against his espousing her: but, on the other hand, the advantages of her known virtue, modesty, and sweetness of disposition, were insisted on; the affection which she bore to the king; the large dowry to which she was entitled, as princess of Wales; the interest of cementing a close alliance with Spain; the necessity of finding some confederate to counterbalance the power of France; the expediency of fulfilling the engagements of the late king: when these considerations were weighed, they determined the council, though contrary to the opinion of the prime, to give Henry their advice for celebrating the marriage. The countess of Richmond, who had concurred in the same sentiments with the council, died, soon after the marriage of her grandson.

The popularity of Henry's government, his undisputed title, his extensive authority, his large treasures, the tranquillity of his subjects, were circumstances which rendered his domestic administration easy and prosperous: the situation of foreign affairs was no less happy and desirable. Italy continued still, as during the late reign, to be the centre of all the wars and negotiations of the European princes; and Henry's alliance was courted by all parties; at the same time that he was not engaged by any immediate interest or necessity to take part with any. Lewis XII. of France, after his conquest of Milan, was the only great prince that possessed any territory in Italy; and could he have remained in tranquillity, he was enabled, by his situation, to prescribe laws to all the Italian princes and republics, and to hold the balance among them. But the desire of making a conquest of Naples, to which he had the same title or pretensions with his predecessor, still engaged him in new enterprises; and, as he foresaw opposition from Ferdinand, who was connected, both by treaties and affinity, with Frederic, of Naples, he endeavoured, by the offers of interest, to which the ears of that monarch were ever open, to engage him in an opposite confederacy. He settled with him a plan for the partition of the kingdom of Naples, and the expulsion of Frederic: a plan, which the politicians of that age, regarded as the most egregious imprudence in the French monarch, and the greatest perfidy in the Spanish. Frederic, supported only by subjects who were either discontented with his government, or indifferent about his fortunes, was unable to resist so powerful a confederacy, and was deprived of his dominions: but he had the satisfaction to see

Naples immediately prove the source of contention among his enemies. Ferdinand gave secret orders to his general, Gonsalvo, whom the Spaniards honour with the appellation of the *great captain*, to attack the armies of France, and make himself master of all the dominions of Naples. Gonsalvo prevailed, in every enterprise, defeated the French in two pitched battles, and ensured to his prince the entire possession of that kingdom. Lewis, unable to procure redress, by force of arms, was obliged to enter into a fruitless negotiation with Ferdinand, for the recovery of his share of the partition : and all Italy, during some time, was held in suspense between these two powerful monarchs.

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There has scarcely been any period, when the balance of power was better secured in Europe, and seemed more able to maintain itself, without any anxious concern or attention of the princes. Several great monarchies were established; and no one so far surpassed the rest, as to give any foundation, or even pretence for jealousy. England was united, in domestic peace; and, by its situation, happily secured from the invasion of foreigners. The coalition of the several kingdoms of Spain, had formed one powerful monarchy, which Ferdinand administered with arts, fraudulent, indeed, and deceitful, but full of vigour and ability. Lewis XII. a gallant and generous prince, had, by espousing Anne, of Brittany, widow to his predecessor, preserved the union with that principality, on which the safety of his kingdom so much depended. Maximilian, the emperor, besides the hereditary dominions of the Austrian family, maintained authority in the empire, and notwithstanding the levity of his character, was able to unite the German princes in any great plan of interest, at least of defence. Charles, prince of Castile, grandson to Maximilian and Ferdinand, had already succeeded to the rich dominions of the house of Burgundy; and being, as yet, in early youth, the government was entrusted to Margaret, of Savoy, his aunt, a princess endowed with signal prudence and virtue. The internal force of these several powerful states, by balancing each other, might long have maintained great tranquillity, had not the active and enterprising genius of Julius II. an ambitious pontiff, first excited the flames of war and discord among them. By his intrigues, a league had been formed at Cambray,<sup>1</sup> between himself, Maximilian, Lewis, and Ferdinand; and the object of this great confederacy was, to overwhelm, by their united arms, the commonwealth of Venice. Henry, without any motive from interest or passion, allowed his name to be inserted in the confederacy. This oppressive and iniquitous league, was but too successful against the republic.

Julius II.

League of  
Cambray.

The great force and secure situation of the considerable monarchies, prevented any one from aspiring to any conquest of moment; and though this consideration could not maintain general

<sup>1</sup>In 1508.

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peace, or remedy the natural inquietude of men, it rendered the princes of this age more disposed to desert engagements, and change their alliances, in which they were retained by humour and caprice; rather than by any natural or durable interest.—Julius had no sooner humbled the Venetian republic, than he was inspired with a nobler ambition, that of expelling all foreigners from Italy; or, to speak in the style affected by the Italians of that age, the freeing of that country entirely from the dominion of barbarians.<sup>1</sup> He was determined to make the tempest fall first upon Lewis; and, in order to pave the way for this great enterprise, he at once sought for a ground of quarrel with the monarch, and courted the alliance of other princes. He declared war against the duke of Ferrara, the confederate of Lewis. He solicited the favour of England, by sending Henry a sacred rose, perfumed with musk, and anointed with chrism.<sup>2</sup> He engaged, in his interest, Bambridge, archbishop of York, and Henry's ambassador at Rome, whom he soon after created a cardinal. He drew over Ferdinand to his party, though that monarch at first made no declaration of his intentions. And what he chiefly valued, he formed a treaty with the Swiss cantons, who, enraged by some neglects but upon them by Lewis, accompanied with contumelious expressions, had quitted the alliance of France, and waited for an opportunity of revenging themselves on that nation.

1511.

While the French monarch repelled the attacks of his enemies, he thought it also requisite to make an attempt on the pope himself, and to despoil him, as much as possible, of that sacred character which chiefly rendered him formidable. He engaged some cardinals, disgusted with the violence of Julius, to desert him; and by their authority, he was determined, in conjunction with Maximilian, who still adhered to his alliance, to call a general council, which might reform the church, and check the exorbitances of the Roman pontiff. A council was summoned, at Pisa, which, from the beginning, bore a very inauspicious aspect, and promised little success to its adherents. Except a few French bishops, who unwillingly obeyed their king's commands, in attending the council, all the other prelates kept aloof from an assembly, which they regarded as the offspring of faction, intrigue, and worldly politics. Even Pisa, the place of their residence, showed them signs of contempt; which engaged them to transfer their session to Milan; a city under the dominion of the French monarch. Notwithstanding this advantage, they did not experience much more respectful treatment from the inhabitants of Milan; and found it necessary to make another remove, to Lyons.<sup>3</sup> Lewis himself fortified these violent prejudices in favour of papal authority, by the symptoms which he discovered, of regard, deference, and submission to

<sup>1</sup> Guicciard. lib. 8.    <sup>2</sup> Spelman, concil. vol. ii. p. 725.    <sup>3</sup> Guicciardini, lib. 10.



Julius, whom he always spared, even when fortune had thrown into his hands the most inviting opportunities of humbling him. And as it was known that his consort, who had great influence over him, was extremely disquieted in mind, on account of his dissensions with the holy father, all men prognosticated to Julius final success in this unequal contest.

The enterprising pontiff knew his advantages, and availed himself of them, with the utmost temerity and insolence. So much had he neglected his sacerdotal character, that he acted in person, at the siege of Mirandola, visited the trenches, saw some of his attendants killed by his side, and, like a young soldier, cheerfully bore all the rigours of winter, and a severe season, in pursuit of military glory:<sup>1</sup> yet was he still able to throw, even on his most moderate opponents, the charge of impiety and profaneness. He summoned a council at the Lateran: he put Pisa under an interdict, and all the places which gave shelter to the schismatical council; he excommunicated the cardinals and prelates who attended it: he even pointed his spiritual thunder against the princes who adhered to it: he freed their subjects from all oaths of allegiance, and gave their dominions to every one who could take possession of them.

Ferdinand, of Arragon, who had acquired the surname of Catholic, regarded the cause of the pope and of religion, only as a cover to his ambition and selfish politics: Henry, naturally sincere and sanguine in his temper, and the more so, on account of his youth and inexperience, was moved with a hearty desire of protecting the pope from the oppression to which he believed him exposed, from the ambitious enterprises of Lewis. Hopes had been given him, by Julius, that the title of *Most Christian King*, which had hitherto been annexed to the crown of France, and which was regarded as its most precious ornament, should, in reward of his services, be transferred to that of England.<sup>2</sup> Impatient also of acquiring that distinction in Europe, to which his power and opulence entitled him, he could not long remain neuter, amidst the noise of arms; and the natural enmity of the English against France, as well as their ancient claims upon that kingdom, led Henry to join that alliance, which the pope, Spain, and Venice, had formed against the French monarch. A herald was sent to Paris, to exhort Lewis not to wage impious war against the sovereign pontiff; and when he returned, without success, another was sent, to demand the ancient patrimonial provinces, Anjou, Maine, Guienne, and Normandy. This message was understood to be a declaration of war; and a parliament being summoned, readily granted supplies for a purpose so much favoured by the English nation.<sup>3</sup>

War with  
France.  
4th Feb.

Buonaviso, an agent of the pope's, at London, had been corrupted by the court of France, and had previously revealed to

<sup>1</sup> Guicciard. lib. 9.    <sup>2</sup> Guicciard. lib. 11. P. Daniel, vol. ii. p. 1893.  
Herbert. Holingshed, p. 831.    <sup>3</sup> Herbert. Holingshed, p. 811.

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1512.

Expedi-  
tion to  
Fontara-  
bia.

Lewis all the measures which Henry was concerting against him. But this infidelity did the king inconsiderable prejudice, in comparison of the treachery which he experienced from the selfish purposes of the ally, on whom he chiefly relied for assistance. Ferdinand, his father-in-law, had so long persevered in a course of crooked politics, that he began even to value himself on his dexterity in fraud and artifice; and he made a boast of those shameful successes. Being told, one day, that Lewis, a prince of a very different character, had complained of his having once cheated him: "He lies, the drunkard!" said he, "I have cheated him above twenty times." This prince considered his close connexions with Henry, only as the means which enabled him the better to take advantage of his want of experience. He advised him not to invade France, by the way of Calais, where he himself should not have it in his power to assist him: he exhorted him rather to send forces to Fontarabia, whence he could easily make a conquest of Guienne, a province in which it was imagined the English had still some adherents. He promised to assist this conquest, by the junction of a Spanish army. And so forward did he seem to promote the interests of his son-in-law, that he even sent vessels to England, in order to transport over the forces which Henry had levied for that purpose. The marquis of Dorset commanded this armament, which consisted of ten thousand men, mostly infantry; lord Howard, son of the earl of Surrey, lord Broke, lord Ferrars, and many others, of the young gentry and nobility, accompanied him in this service. All were on fire to distinguish themselves by military achievements, and to make a conquest of importance for their master. The secret purpose of Ferdinand in this unexampled generosity was suspected by nobody.

The small kingdom of Navarre lies on the frontiers, between France and Spain; and, as John d'Albret, the sovereign, was connected, by friendship and alliance with Lewis, the opportunity seemed favourable to Ferdinand, while the English forces were conjoined with his own, and while all adherents to the council of Pisa lay under the sentence of excommunication, to put himself in possession of these dominions. No sooner, therefore, was Dorset landed in Guipiscoa, than the Spanish monarch declared his readiness to join him with his forces, to make, with united arms, an invasion of France, and to form the siege of Bayonne, which opened the way into Guienne:<sup>1</sup> but he remarked, to the English general, how dangerous it might prove, to leave behind them the kingdom of Navarre, which, being in close alliance with France, could easily give admittance to the enemy, and cut off all communication between Spain and the combined armies. To provide against so dangerous an event, he required, that John should stipulate a neutrality, in the present war; and when that prince expressed his willingness to en-

<sup>1</sup> Herbert. Holingshed, p. 813.

ter into any engagement for that purpose, he also required, that security should be given for the strict observance of it. John having, likewise, agreed to this condition, Ferdinand demanded that he should deliver into his hands six of the most considerable places of his dominions, together with his eldest son, as a hostage. These were not terms to be proposed to a sovereign; and, as the Spanish monarch expected a refusal, he gave immediate orders to the duke of Alva, his general, to make an invasion on Navarre, and to reduce that kingdom. Alva soon made himself master of all the smaller towns; and being ready to form the siege of Pampeluna, the capital, he summoned the marquis of Dorset to join him, with the English army, and concert together all their operations.

Dorset began to suspect that the interests of his master were very little regarded, in all these transactions; and having no orders to invade the kingdom of Navarre, or make war any where but in France, he refused to take any part in the enterprise. He remained, therefore, in his quarters, at Fontarabia; but so subtle was the contrivance of Ferdinand, that, even while the English army lay in that situation, it was almost equally serviceable to his purpose, as if it had acted in conjunction with his own. It kept the French army in awe, and prevented it from advancing, to succour the kingdom of Navarre; so that Alva, having full leisure to conduct the siege, made himself master of Pampeluna, and obliged John to seek for shelter in France. The Spanish general again applied to Dorset, and proposed to conduct, with united counsels, the operations of the *holy league*, (so it was called,) against Lewis: but as he still declined forming the siege of Bayonne, and rather insisted on the invasion of the principality of Bearne, a part of the king of Navarre's dominions, which lies on the French-side of the Pyrenees, Dorset, justly suspicious of his sinister intentions, represented, that without new orders from his master, he could not concur in such an undertaking. In order to procure these orders, Ferdinand despatched Martin de Ampios to London, and persuaded Henry that, by the refractory and scrupulous humour of the English general, the most favourable opportunities were lost, and that it was necessary he should, on all occasions, act in concert with the Spanish commander, who was best acquainted with the situation of the country, and the reasons of every operation. But before orders to this purpose reached Spain, Dorset had become extremely impatient; and, observing that his farther stay served not to promote the main undertaking, and that his army was daily perishing by want and sickness, he demanded shipping from Ferdinand, to transport them back into England. Ferdinand, who was bound, by treaty, to furnish him with this supply, whenever demanded, was, at length, after many delays, obliged to yield to his importunity; and Dorset, embarking his troops, prepared himself for the voyage. Meanwhile the messenger arrived, with orders from Henry, that the troops should remain in Spain: but the soldiers were so discontented

Deceit of  
Ferdinand

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XXVII.1512.  
Return of  
The Eng-  
lish.

with the treatment which they had met with, that they mutinied, and obliged their commanders to set sail for England. Henry was much displeased with the ill success of this enterprise; and it was with difficulty that Dorset, by explaining the fraudulent conduct of Ferdinand, was at last able to appease him.

There happened, this summer, an action at sea, which brought not any more decisive advantage to the English. Sir Thomas Knevet, master of horse, was sent to the coast of Brittany, with a fleet of forty-five sail; and he carried with him Sir Charles Brandon, Sir John Carew, and many other young courtiers, who longed for an opportunity of displaying their valour. After they had committed some depredations, a French fleet of thirty-nine sail issued from Brest, under the command of Primauguet, and began an engagement with the English. Fire seized the ship of Primauguet, who, finding his destruction inevitable, bore down upon the vessel of the English admiral, and grappling with her, resolved to make her share his fate. Both fleets stood some time in suspense, as spectators of this dreadful engagement; and all men saw with horror the flames which consumed both vessels, and heard the cries of fury and despair which came from the miserable combatants. At last the French ship blew up, and at the same time destroyed the English.\* The rest of the French fleet made their escape into different harbours.

The war with England, waged against France, though it brought no advantage to the former kingdom, was of great prejudice to the latter; and, by obliging Lewis to withdraw his forces for the defence of his own dominions, lost him that superiority which his arms, in the beginning of the campaign, had attained in Italy. Gaston de Foix, his nephew, a young hero, had been entrusted with the command of the French forces; and, in a few months, performed such feats of military art and prowess, as were sufficient to render illustrious the life of the oldest captain.<sup>2</sup> His career finished with the great battle of Ravenna, which, after the most obstinate conflict, he gained over the Spanish and papal armies. He perished the very moment his victory was complete; and with him perished the fortune of the French armies in Italy. The Swiss, who had rendered themselves extremely formidable, by their bands of disciplined infantry, invaded the Milanese with a numerous army, and raised up that inconstant people to a revolt against the dominion of France. Genoa followed the example of the dutchy; and thus Lewis, in a few weeks, entirely lost his Italian conquests, except some garrisons; and Maximilian Sforza, the son of Ludovic, was reinstated in possession of Milan.

1513.

Julius discovered extreme joy, on the discomfiture of the French; and the more so, as he had been beholden for it to the Swiss, a people whose councils, he hoped, he should always be

\* Polydore Virgil, lib. 27. Stowe, p. 490. Lanquet's Epitome of Chronicles, fol. 273. <sup>2</sup> Guicciard. lib. 10.



able to influence and govern. This pontiff survived this success a very little time; and, in his place, was chosen John de Medicis, who took the appellation of Leo X. and proved one of the most illustrious princes that ever sat on the papal throne. Humane, beneficent, generous, affable; the patron of every art, and friend of every virtue;<sup>1</sup> he had a soul no less capable of forming great designs than his predecessors; but was more gentle, pliant and artful, in employing means for the execution of them. The sole defect, indeed, of his character, was too great finesse and artifice; a fault which, both as a priest and an Italian, it was difficult for him to avoid. By the negotiations of Leo, the emperor, Maximilian, was detached from the French interest; and Henry, notwithstanding his disappointments in the former campaign, was still encouraged to prosecute his warlike measures against Lewis.

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XXVII.

1513.  
21st Feb.  
Leo X.

Henry had summoned a new session of parliament;<sup>2</sup> and obtained a supply for his enterprise. It was a poll tax, and imposed different sums, according to the station and riches of the person. A duke paid ten marks, an earl five pounds, a baron four pounds, a knight four marks; every man, valued at eight hundred pounds in goods, four marks. An imposition was also granted of two fifteenths and four tenths.<sup>3</sup> By these supplies, joined to the treasure which had been left by his father, and which was not yet entirely dissipated, he was enabled to levy a great army, and render himself formidable to his enemy. The English are said to have been much encouraged, in this enterprise, by the arrival of a vessel in the Thames, under the papal banner. It carried presents of wine and hams to the king, and the more eminent courtiers; and such fond devotion was, at that time, entertained towards the court of Rome, that these trivial presents were every where received with the greatest triumph and exultation.

A parliament.

In order to prevent all disturbances from Scotland, while Henry's arms should be employed on the continent, Dr. West, dean of Windsor, was despatched on an embassy to James, the king's brother-in-law; and instructions were given him, to accommodate all differences between the kingdoms, as well as to discover the intentions of the court of Scotland.<sup>4</sup> Some complaints had already been made on both sides. One Barton, a Scotchman, having suffered injuries from the Portuguese, for which he could obtain no redress, had procured letters of marque against that nation; but he had no sooner put to sea, than he was guilty of the grossest abuses, committed depredations upon the English, and much infested the narrow seas.<sup>5</sup> Lord Howard and Sir Edward Howard, admirals, and sons of the earl of Surrey, sailing out against him, fought him in a desperate action, where the pirate was killed; and they brought his ships

<sup>1</sup> Father Paul, lib. 1. <sup>2</sup> 4th November, 1512. <sup>3</sup> Stowe. <sup>4</sup> Polyd. Virg. lib. 27. <sup>5</sup> Stowe, p. 489. Holingshed, p. 811.

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XXVII.  
1513.

War with  
Scotland.

into the Thames. As Henry refused all satisfaction for this act of justice, some of the borderers, who wanted but a pretence for depredations, entered England, under the command of lord Hume, warden of the marches, and committed great ravages on that kingdom. Notwithstanding these mutual grounds of dissatisfaction, matters might easily have been accommodated, had it not been for Henry's intended invasion of France, which roused the jealousy of the Scottish nation.<sup>1</sup> The ancient league, which subsisted between France and Scotland, was conceived to be the strongest band of connexion: and the Scots universally believed, that were it not for the countenance which they received from this foreign alliance, they had never been able so long to maintain their independence against a people so much superior. James was farther incited to take part in the quarrel, by the invitations of Anne, queen of France, whose knight he had ever, in all tournaments, professed himself, and who summoned him, according to the ideas of romantic gallantry, prevalent in that age, to take the field in her defence, and prove himself her true and valorous champion. The remonstrances of his consort, and of his wisest counsellors, were in vain opposed to the martial ardour of this prince. He first sent a squadron of ships to the assistance of France; the only fleet which Scotland seems ever to have possessed. And though he still made professions of maintaining a neutrality, the English ambassador easily foresaw, that a war would, in the end, prove inevitable; and he gave warning of the danger to his master, who sent the earl of Surrey to put the borders in a posture of defence, and to resist the expected invasion of the enemy.

Henry, all on fire for military fame, was little discouraged by this appearance of a diversion from the north; and so much the less, as he flattered himself with the assistance of all the considerable potentates of Europe, in his invasion of France. The pope still continued to thunder out his excommunications against Lewis, and all the adherents of the schismatical council; the Swiss cantons made professions of violent animosity against France: the ambassadors of Ferdinand and Maximilian had signed, with those of Henry, a treaty of alliance against that power, and had stipulated the time and place of their intended invasion; and though Ferdinand disavowed his ambassador, and even signed a truce for a twelve-month with the common enemy, Henry was not yet fully convinced of his selfish and sinister intentions, and still hoped for his concurrence, after the expiration of that term. He had now got a minister who complied with all his inclinations, and flattered him, in every scheme, to which his sanguine and impetuous temper was inclined.

Wolsey,  
minister.

Thomas Wolsey, dean of Lincoln, and almoner to the king, surpassed in favour all his ministers, and was fast advancing towards that unrivalled grandeur, which he afterwards attained.

<sup>1</sup> Buchanan, lib. 13. Drummond in the Life of James IV.

This man was son of a butcher, at Ipswich; but, having got a learned education, and being endowed with an excellent capacity, he was admitted into the marquis of Dorset's family, as tutor to that nobleman's children, and soon gained the friendship and countenance of his patrons.<sup>1</sup> He was recommended to be chaplain to Henry VII. and being employed, by that monarch, in a secret negotiation, which regarded his intended marriage with Margaret, of Savoy, Maximilian's daughter, he acquitted himself to the king's satisfaction, and obtained the praise, both of diligence and dexterity, in his conduct.<sup>2</sup> That prince, having given him a commission to Maximilian, who, at that time, resided in Brussels, was surprised, in less than three days after, to see Wolsey present himself before him; and, supposing that he had protracted his departure, he began to reprove him for the dilatory execution of his orders. Wolsey informed him, that he had just returned from Brussels, and had successfully fulfilled all his majesty's commands. "But on second thoughts," said the king, "I found that somewhat was omitted in your orders; and have sent a messenger after you, with fuller instructions." "I met the messenger," replied Wolsey, "on my return. But, as I had reflected on that omission, I ventured, of myself, to execute what, I knew, must be your majesty's intentions." The death of Henry, soon after this incident, retarded the advancement of Wolsey, and prevented his reaping any advantage from the good opinion which that monarch had entertained of him: but thenceforwards he was looked on, at court, as a rising man; and Fox, bishop of Winchester, cast his eye upon him as one who might be serviceable to him, in his present situation.<sup>3</sup> This prelate, observing that the earl of Surrey had totally eclipsed him in favour, resolved to introduce Wolsey to the young prince's familiarity, and hoped that he might rival Surrey in his insinuating arts, and yet be contented to act in the cabinet a part subordinate to Fox himself, who had promoted him. In a little time, Wolsey gained so much on the king, that he supplanted both Surrey in his favour, and Fox in his trust and confidence. Being admitted to Henry's parties of pleasure, he took the lead in every jovial conversation, and promoted all that frolic and entertainment, which he found suitable to the age and inclination of the young monarch. Neither his own years, which were near forty, nor his character, of a clergyman, were any restraint upon him, or engaged him to check, by any useless severity, the gaiety, in which Henry, who had small propension to debauchery, passed his careless hours. During the intervals of amusement, he introduced business, and insinuated those maxims of conduct, which he was desirous his master should adopt. He observed to him, that while he intrusted his affairs into the hands of his father's counsellors, he had the advantage, indeed, of em-

<sup>1</sup> Stowe, p. 997. <sup>2</sup> Cavendish. Fiddes's Life of Wolsey. Stowe. <sup>3</sup> Antiq. Brit. Eccles. p. 329. Polydore Virgil, lib. 27.

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ploying men of wisdom and experience, but men who owed not their promotion to his favour; and who scarcely thought themselves accountable to him for the exercise of their authority; that, by the factions, and cabals, and jealousies, which had long prevailed among them, they more obstructed the advancement of his affairs, than they promoted it by the knowledge, which age and practice had conferred upon them: that, while he thought proper to pass his time in those pleasures, to which his age and royal fortune invited him, and in those studies, which would in time, enable him to sway the sceptre with absolute authority, his best system of government would be to intrust his authority into the hands of some one person who was the creature of his will, and who could entertain no view but that of promoting his service: and that if this minister had also the same relish for pleasure with himself, and the same taste for science, he could more easily, at intervals, account to him for his whole conduct, and introduce his master gradually into the knowledge of public business; and thus, without tedious constraint or application, initiate him in the science of government.<sup>1</sup>

His character.

Henry entered into all the views of Wolsey; and finding no one so capable of executing this plan of administration as the person who proposed it, he soon advanced his favourite, from being the companion of his pleasures, to be a member of his council: and from being a member of his council, to be his sole and absolute minister. By this rapid advancement and uncontrolled authority, the character and genius of Wolsey had full opportunity to display itself. Insatiable in his acquisitions, but still more magnificent in his expense: of extensive capacity, but still more unbounded enterprise: ambitious of power, but still more desirous of glory: insinuating, engaging, persuasive; and, by turns, lofty, elevated, commanding: haughty to his equals, but affable to his dependents; oppressive to the people, but liberal to his friends; more generous than grateful; less moved by injuries than by contempt; he was framed to take the ascendant, in every intercourse with others, but exerted this superiority of *nature* with such ostentation, as exposed him to envy, and made every one willing to recal the original inferiority, or rather meanness of his *fortune*.

The branch of administration, in which Henry most exerted himself, while he gave his entire confidence to Wolsey, was the military; which, as it suited the natural gallantry and bravery of his temper, as well as the ardour of his youth, was the principal object of his attention. Finding that Lewis had made great preparations, both by sea and land, to resist him, he was no less careful to levy a formidable army, and equip a considerable fleet, for the invasion of France. The command of the fleet was intrusted to Sir Edward Howard; who, after scouring the channel for some time, presented himself before Brest, where the

<sup>1</sup> Cavendish, p. 12. Stowe, p. 499.



French navy then lay; and he challenged them to a combat. The French admiral, who expected from the Mediterranean a reinforcement of some galleys, under the command of Prejeant de Bidoux, kept within the harbour, and saw, with patience, the English burn and destroy the country in the neighbourhood. At last Prejeant arrived, with six galleys, and put into Conquet, a place within a few leagues of Brest; where he secured himself behind some batteries, which he had planted on rocks, that lay on each side of him. Howard was, notwithstanding, determined to make an attack upon him; and as he had but two galleys, he took himself the command of one, and gave the other to lord Ferrars. He was followed by some row-barges, and some crayers, under the command of Sir Thomas Cheyney, Sir William Sidney, and other officers of distinction. He immediately fastened on Prejeant's ship, and leaped on board of her, attended by one Carroz, a Spanish cavalier, and seventeen Englishmen. The cable, meanwhile; which fastened his ship to that of the enemy, being cut, the admiral was thus left in the hands of the French; and, as he still continued the combat, with great gallantry, he was pushed overboard, by their pikes.<sup>1</sup> Lord Ferrars, seeing the admiral's galley fall off, followed with the other small vessels; and the whole fleet was so discouraged, by the loss of their commander, that they retired from before Brest.<sup>2</sup> The French navy came out of harbour; and even ventured to invade the coast of Sussex. They were repulsed, and Prejeant, their commander, lost an eye by the shot of an arrow. Lord Howard, brother to the deceased admiral, succeeded to the command of the English fleet; and little memorable passed at sea, during this summer.

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April 25th.

Great preparations had been making, at land, during the whole winter, for an invasion on France, by the way of Calais; but the summer was well advanced, before every thing was in sufficient readiness for the intended enterprise. The long peace, which the kingdom had enjoyed, had somewhat unfitted the English for military expeditions; and the great change which had lately been introduced in the art of war, had rendered it still more difficult to inure them to the use of the weapons now employed in action. The Swiss, and after them the Spaniards, had shown the advantage of a stable infantry, who fought with pike and sword, and were able to repulse even the heavy armed cavalry, in which the great force of the armies formerly consisted. The practice of fire-arms was become common; though the caliver, which was the weapon now in use, was so incon-

<sup>1</sup> It was a maxim of Howard's, that no admiral was good for any thing, that was not even brave to a degree of madness. As the sea service requires much less plan, and contrivance, and capacity, than the land, this maxim has great plausibility and appearance of truth: though the fate of Howard himself may serve as a proof, that even there courage ought to be tempered with discretion. <sup>2</sup> Stowe, p. 491. Herbert. Holingshed, p. 816.

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venient, and attended with so many disadvantages, that it had not entirely discredited the bow, a weapon in which the English excelled all European nations. A considerable part of the forces, which Henry levied for the invasion of France, consisted of archers; and, as soon as affairs were in readiness, the vanguard of the enemy, amounting to eight thousand men, under the command of the earl of Shrewsbury, sailed over to Calais. Shrewsbury was accompanied by the earl of Derby, the lords Fitzwater, Hastings, Cobham, and Sir Rice ap Thomas, captain of the light-horse. Another body of six thousand men, soon after followed, under the command of lord Herbert, the chamberlain, attended by the earls of Northumberland and Kent, the lords Audley and Delawar, together with Carew, Curson, and other gentlemen.

The king himself prepared to follow, with the main body and rear of the army; and he appointed the queen regent of the kingdom, during his absence. That he might secure her administration from all disturbance, he ordered Edmond de la Pole, earl of Suffolk, to be beheaded in the Tower; the nobleman who had been attainted and imprisoned during the late reign. Henry was led to commit this act of violence, by the dying commands, as is imagined, of his father, who told him, that he never would be free from danger, while a man of so turbulent a disposition as Suffolk was alive. And as Richard de la Pole, brother of Suffolk, had accepted of a command in the French service, and foolishly attempted to revive the York faction, and to instigate them against the present government, he probably, by that means, drew more suddenly the king's vengeance on this unhappy nobleman.

30th June. At last, Henry, attended by the duke of Buckingham, and many others of the nobility, arrived at Calais, and entered upon his French expedition, from which he fondly expected so much success and glory.<sup>1</sup> Of all the allies, on whose assistance he relied, the Swiss, alone, fully performed their engagements. Being put in motion, by a sum of money, sent them by Henry, and incited by their victories obtained in Italy, and by their animosity against France, they were preparing to enter that kingdom, with an army of twenty-five thousand men; and no equal force could be opposed to their incursion. Maximilian had received an advance of one hundred and twenty thousand crowns, from Henry, and had promised to reinforce the Swiss with eight thousand men; but failed in his engagements. That he might make atonement to the king, he himself appeared in the Low Countries, and joined the English army, with some German and Flemish soldiers, who were useful in giving an example of discipline to Henry's new levied forces. Observing the disposition of the English monarch to be more bent on glory than on interest, he enlisted himself in his service, wore the

Invasion  
of France.

<sup>1</sup> Polyd. Virg. lib. 27. Belcarius, lib. 14.

cross of St. George, and received pay, an hundred crowns a day, as one of his subjects and captains. But while he exhibited this extraordinary spectacle, of an emperor of Germany serving under a king of England, he was treated with the highest respect by Henry, and really directed all the operations of the English army.

Before the arrival of Henry and Maximilian in the camp, the earl of Shrewsbury and lord Herbert had formed the siege of Tèrouane, a town situated on the frontiers of Picardy; and they began to attack the place with vigour. Teligni and Crequi commanded in the town, and had a garrison not exceeding two thousand men; yet made they such stout resistance as protracted the siege a month, and they, at last, found themselves more in danger, from want of provisions and ammunition, than from the assaults of the besiegers. Having conveyed intelligence of their situation to Lewis, who had advanced to Amiens with his army, that prince gave orders to throw relief into the place. Fontrailles appeared, Aug. 16th. at the head of eight hundred horsemen, each of whom carried a sack of gunpowder behind him, and two quarters of bacon. With this small force, he made a sudden and unexpected irruption into the English camp, and, surmounting all resistance, advanced to the fosse of the town, where each horseman threw down his burden. They immediately returned, at the gallop, and were so fortunate as again to break through the English, and to suffer little or no loss in this dangerous attempt.<sup>1</sup>

But the English had, soon after, full revenge for the insult. Henry had received intelligence of the approach of the French horse, who had advanced to protect another incursion of Fontrailles; and he ordered some troops to pass the Lis, in order to oppose them. The cavalry of France, though they consisted chiefly of gentlemen, who had behaved with great gallantry, in many desperate actions in Italy, were, on sight of the enemy, seized with so unaccountable a panic, that they immediately took to flight, and were pursued by the English. The duke of Longueville, who commanded the French, Bussi d'Amboise, Clermont, Imbercourt, the chevalier Bayard, and many other officers of distinction, were made prisoners.<sup>2</sup> This action, or rather rout, is sometimes called the battle of Guinegate, from the place where it was fought; but more commonly the *Battle of Spurs*, because the French, that day, made more use of their spurs than of their swords or military weapons.

After so considerable an advantage, the king, who was at the head of a complete army, of above fifty thousand men, might have made incursions to the gates of Paris, and spread confusion and desolation every where. It gave Lewis great joy, when he heard that the English, instead of pushing their victory, and attacking the dismayed troops of France, returned to the siege

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Battle of  
Guinegate

<sup>1</sup> Hist. du Chev. Bayard, chap. 57. Mémoires de Bellai. <sup>2</sup> Ibid. liv. i. Polydore Virgil, liv. 27. Holingshed, p. 822. Herbert.

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of so inconsiderable a place as Terouane. The governors were obliged, soon after, to capitulate; and Henry found his acquisition of so little moment, though gained at the expense of some blood, and what, in his present circumstances, was more important, of much valuable time, that he immediately demolished the fortifications. The anxieties of the French were again revived, with regard to the motions of the English. The Swiss, at the same time, had entered Burgundy, with a formidable army, and laid siege to Dijon, which was in no condition to resist them. Ferdinand himself, though he had made a truce with Lewis, seemed disposed to lay hold of every advantage which fortune should present to him. Scarcely ever was the French monarchy in greater danger, or less in a condition to defend itself against those powerful armies, which, on every side, assailed or threatened it. Even many of the inhabitants of Paris, who believed themselves exposed to the rapacity and violence of the enemy, began to dislodge, without knowing what place could afford them greater security.

But Lewis was extricated from his present difficulties by the manifold blunders of his enemies. The Swiss allowed themselves to be seduced into a negotiation, by Tremoille, governor of Burgundy; and, without making inquiry whether that nobleman had any powers to treat, they accepted of the conditions which he offered them. Tremoille, who knew that he should be disavowed by his master, stipulated whatever they were pleased to demand, and thought himself happy, at the expense of some payments, and very large promises, to get rid of so formidable an enemy.<sup>1</sup>

The measures of Henry showed equal ignorance in the art of war, with that of the Swiss in negotiation. Tournay was a great and rich city, which, though it lay within the frontiers of Flanders, belonged to France, and afforded the troops of that kingdom a passage into the heart of the Netherlands. Maximilian, who was desirous of freeing his grandson from so troublesome a neighbour, advised Henry to lay siege to the place; and the English monarch, not considering that such an acquisition nowise advanced his conquests in France, was so imprudent as to follow this interested counsel. The city of Tournay, by its ancient charters, being exempted from the burden of a garrison, the burghers, against the remonstrance of their sovereign, strenuously insisted on maintaining this dangerous privilege; and they engaged, by themselves, to make a vigorous defence against the enemy.<sup>2</sup> Their courage failed them, when  
24th Sept. matters came to trial; and, after a few days' siege, the place was surrendered to the English. The bishop of Tournay was lately dead; and, as a new bishop was already elected by the chapter,

<sup>1</sup> Mémoires du Mareschal de Fleuranges, Bellarius, lib. 24.    <sup>2</sup> Mémoires de Fleuranges.



but not installed in his office, the king bestowed the administration of the see on his favourite, Wolsey, and put him in immediate possession of the revenues, which were considerable.<sup>1</sup> Hearing of the retreat of the Swiss, and observing the season to be far advanced, he thought proper to return to England; and he carried the greater part of his army with him. Success had attended him in every enterprise; and his youthful mind was much elated with this seeming prosperity; but all men of judgment, comparing the advantages of his situation with his progress, his expense with his acquisitions, were convinced, that this campaign, so much vaunted, was, in reality, both ruinous and inglorious to him.<sup>2</sup>

The success which, during this summer, had attended Henry's arms in the north, was much more decisive. The king of Scotland had assembled the whole force of his kingdom; and having passed the Tweed, with a brave, though a tumultuary army, of above fifty thousand men, he ravaged those parts of Northumberland, which lay nearest that river, and he employed himself in taking the castles of Norman, Etal, Werke, Ford, and other places of small importance. Lady Ford, being taken prisoner in her castle, was presented to James, and so gained on the affections of the prince, that he wasted, in pleasure, the critical time which, during the absence of his enemy, he should have employed in pushing his conquests. His troops, lying in a barren country, where they soon consumed all the provisions, began to be pinched with hunger; and, as the authority of the prince was feeble, and military discipline, during that age, extremely relaxed, many of them had stolen from the camp, and retired homewards. Meanwhile, the earl of Surrey having collected a force of twenty-six thousand men, of which five thousand had been sent over from the king's army, in France, marched to the defence of the country, and approached the Scots, who lay on some high ground, near the hills of Cheviot. The river Till ran between the armies, and prevented an engagement: Surrey, therefore, sent a herald to the Scottish camp, challenging the enemy to descend into the plain of Milfield, which lay towards the south; and there, appointing a day for the combat, to try their valour on equal ground. As he received no satisfactory answer, he made a feint of marching towards Berwick; as if he intended to enter Scotland, to lay waste the borders, and cut off the provisions of the enemy. The Scottish army, in order to prevent his purpose, put themselves in motion; and having set fire to the huts in which they had quartered, they descended from the hills. Surrey, taking advantage of the smoke, which was blown towards him, and which concealed his movements, passed the Till, with his artillery and vanguard, at the bridge of Twisel, and sent the rest of his army to seek a ford higher up the river.

<sup>1</sup> Strype's Memorials, vol. i. p. 5, 6.    <sup>2</sup> Guicciardini.

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9th Sept.

Battle of  
Flouden.

An engagement was now become inevitable, and both sides prepared for it with tranquillity and order.<sup>1</sup> The English divided their army into two lines: lord Howard led the main body of the first line, Sir Edmond Howard the right wing, Sir Marmaduke Constable, the left. The earl of Surrey, himself, commanded the main body of the second line, lord Dacres the right wing, Sir Edward Stanley the left. The front of the Scots presented three divisions to the enemy; the middle was led by the king himself: the right, by the earl of Huntley, assisted by lord Hume; the left, by the earls of Lenox and Argyle. A fourth division, under the earl of Bothwel, made a body of reserve. Huntley began the battle; and, after a sharp conflict, put to flight the left wing of the English, and chased them off the field: but, on returning from the pursuit, he found the whole Scottish army in great disorder. The division under Lenox and Argyle, elated with the success of the other wing, had broken their ranks, and, notwithstanding the remonstrances and entreaties of La Motte, the French ambassador, had rushed headlong upon the enemy. Not only Sir Edmond Howard, at the head of his division, received them with great valour; but Dacres, who commanded in the second line, wheeling about during the action, fell upon their rear, and put them to the sword, without resistance. The division under James, and that under Bothwel, animated by the valour of their leaders, still made head against the English, and throwing themselves into a circle, protracted the action, till night separated the combatants. The victory seemed yet undecided, and the numbers that fell on each side were nearly equal, amounting to above five thousand men: but the morning discovered where the advantage lay.—The English had lost only persons of small note: but the flower of the Scottish nobility had fallen in battle, and their king himself, after the most diligent inquiry, could no where be found. In searching the field, the English met with a dead body, which resembled him, and was arrayed in a similar habit; and they put it in a leaden coffin, and sent it to London. During some time it was kept unburied; because James died under sentence of excommunication, on account of his confederacy with France, and his opposition to the holy see:<sup>2</sup> but, upon Henry's application, who pretended that this prince had, in the instant before his death, discovered signs of repentance, absolution was given him, and his body was interred. The Scots, however, still asserted, that it was not James's body which was found on the field of battle, but that of one Elphinstone, who had been arrayed in arms resembling their king's, in order to divide the attention of the English, and share the danger with his master. It was believed that James had been seen crossing the Tweed, at Kelso; and some imagined, that he had been killed, by the vassals of lord

<sup>1</sup> Buchanan, lib. 13. Drummond. Herbert. Polydore Virgil, lib. 27  
Stowe, p. 493. Paulus Jovius. <sup>2</sup> Buchanan, lib. 13. Herbert.

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Flume, whom that nobleman had instigated to commit so enormous a crime. But the populace entertained the opinion, that he was still alive, and, having secretly gone in pilgrimage to the Holy Land, would soon return, and take possession of the throne. This fond conceit was long entertained among the Scots.

The king of Scotland, and most of his chief nobles, being slain in the field of Flouden, so this battle was called, an inviting opportunity was offered to Henry, of gaining advantages over that kingdom, perhaps of reducing it to subjection. But he discovered, on this occasion, a mind truly great and generous. When the queen of Scotland, Margaret, who was created regent, during the infancy of her son, applied for peace, he readily granted it; and took compassion of the helpless condition of his sister and nephew. The earl of Surrey, who had gained him so great a victory, was restored to the title of duke of Norfolk, which had been forfeited, by his father, for engaging on the side of Richard III. Lord Howard was honoured with the title of the earl of Surrey. Sir Charles Brandon, the king's favourite, whom he had before created viscount Lisle, was now raised to the dignity of duke of Suffolk. Wolsey, who was both his favourite and his minister, was created bishop of Lincoln. Lord Herbert obtained the title of earl of Worcester. Sir Edward Stanley, that of lord Monteagle.

1514.

Though peace with Scotland gave Henry security, on that side, and enabled him to prosecute, in tranquillity, his enterprise against France, some other incidents had happened, which more than counterbalanced this fortunate event, and served to open his eyes, with regard to the rashness of an undertaking, into which his youth and high fortune had betrayed him.

Lewis, fully sensible of the dangerous situation to which his kingdom had been reduced, during the former campaign, was resolved, by every expedient, to prevent the return of like perils, and to break the confederacy of his enemies. The pope was nowise disposed to push the French to extremity; and, provided they did not return, to take possession of Milan, his interests rather led him to preserve the balance among the contending parties. He accepted, therefore, of Lewis's offer, to renounce the council of Lyons; and he took off the excommunication which his predecessor and himself had fulminated against that king and his kingdom. Ferdinand was now fast declining in years; and, as he entertained no farther ambition than that of keeping possession of Navarre, which he had subdued by his arms and policy, he readily hearkened to the proposals of Lewis for prolonging the truce another year; and he even showed an inclination of forming a more intimate connexion with that monarch. Lewis had dropt hints of his intention to marry his second daughter, Renée, either to Charles, prince of Spain, or his brother Ferdinand, both of them grandsons of the Spanish monarch; and he declared his resolution of bestowing on her, as her portion, his claim to the dutchy of Milan. Ferdinand not

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only embraced these proposals, with joy, but also engaged the emperor, Maximilian, in the same views, and procured his accession to a treaty, which opened so inviting a prospect of aggrandizing their common grandchildren.

When Henry was informed of Ferdinand's renewal of the truce with Lewis, he fell into a violent rage, and loudly complained, that his father-in-law had first, by high promises and professions, engaged him in enmity with France, and afterwards, without giving him the least warning, had now again sacrificed his interests to his own selfish purposes, and had left him exposed, alone, to all the danger and expense of the war. In proportion to his easy credulity, and his unsuspecting reliance on Ferdinand, was the vehemence with which he exclaimed against the treatment which he met with; and he threatened revenge for this egregious treachery and breach of faith.<sup>1</sup> But he lost all patience, when informed of the other negotiation, by which Maximilian was also seduced from his alliance, and in which proposals had been agreed to, for the marriage of the prince of Spain with the daughter of France. Charles, during the lifetime of the late king, had been affianced to Mary, Henry's younger sister; and, as the prince now approached the age of puberty, the king had expected the immediate completion of the marriage, and the honourable settlement of a sister, for whom he had entertained a tender affection. Such a complication, therefore, of injuries, gave him the highest displeasure, and inspired him with a desire of expressing his disdain towards those who had imposed on his youth and inexperience, and had abused his too great facility.

The duke of Longueville, who had been made prisoner, at the battle of Guinegate, and who was still detained in England, was ready to take advantage of all these dispositions of Henry, in order to procure a peace, and even an alliance, which he knew to be passionately desired by his master. He represented to the king, that Anne, queen of France, being lately dead, a door was thereby opened, for an affinity, which might tend to the advantage of both kingdoms, and which would serve to terminate, honourably, all the differences between them: that she had left Lewis no male children; and, as he had ever entertained a strong desire of having heirs to the crown, no marriage seemed more suitable to him than that with the princess of England, whose youth and beauty afforded the most flattering hopes in that particular: that, though the marriage of a princess of sixteen, with a king of fifty-three, might seem unsuitable, yet the other advantages attending the alliance, were more than a sufficient compensation for this inequality: and that Henry, in loosening his connexions with Spain, from which he had never reaped any advantage, would contract a close affinity with Lewis, a prince who.

<sup>1</sup> Petrus de Angleria, Epist. 545, 546.



through his whole life, had invariably maintained the character of probity and honour.

As Henry seemed to hearken to this discourse with willing ears, Longueville informed his master of the probability which he discovered of bringing the matter to a happy conclusion; and he received full powers for negotiating the treaty. The articles were easily adjusted between the monarchs. Lewis agreed, that Tournay should remain in the hands of the English; that Richard de la Pole should be banished to Metz, there to live on a pension, assigned him by Lewis; that Henry should receive payment of a million of crowns, being the arrears due, by treaty, to his father and himself; and that the princess Mary should bring four hundred thousand crowns as her portion, and enjoy as large a jointure as any queen of France, even the former, who was heiress of Brittany. The two princes also agreed, on the succours with which they should mutually supply each other, in case either of them were attacked by an enemy.<sup>1</sup>

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Peace  
with  
France.  
7th Aug.

In consequence of this treaty Mary was sent over to France with a splendid retinue, and Lewis met her at Abbeville, where her espousals were celebrated. He was enchanted with the beauty, grace, and numerous accomplishments of the young princess; and, being naturally of an amorous disposition, which his advanced age had not entirely cooled, he was seduced into such a course of gaiety and pleasure, as proved very unsuitable to his declining state of health.<sup>2</sup> He died in less than three months after the marriage, to the extreme regret of the French nation, who, sensible of his tender concern for their welfare, gave him with one voice, the honourable appellation of *father of his people*.

9th Oct.

1515.  
1st Jan.

Francis, duke of Angouleme, a youth of one and twenty, who had married Lewis's eldest daughter, succeeded him on the throne; and, by his activity, valour, generosity, and other virtues, gave prognostics of a happy and glorious reign. This young monarch had been extremely struck with the charms of the English princess; and, even during his predecessor's lifetime, had paid her such assiduous court, as made some of his friends apprehend that he had entertained views of gallantry towards her. But being warned, that, by indulging this passion, he might probably exclude himself from the throne, he forbore all farther addresses; and even watched the young dowager with a very careful eye, during the first months of her widowhood. Charles Brandon, duke of Suffolk, was at that time, in the court of France, the most comely personage of that time, and the most accomplished in all the exercises which were then thought to befit a courtier and a soldier. He was Henry's chief favourite; and that monarch had even once entertained thoughts of marrying him to his sister, and had given indulgence to the mutual passion which took place between them. The queen asked Suffolk, whether he had now the courage, without farther reflection, to espouse

<sup>1</sup> Du Tillet.

<sup>2</sup> Brantome, Eloge de Louis XII.

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her ? And she told him, that her brother would more easily forgive him, for not asking his consent, than for acting contrary to his orders. Suffolk declined not so inviting an offer ; and their nuptials were secretly celebrated at Paris. Francis, who was pleased with this marriage, as it prevented Henry from forming any powerful alliance, by means of his sister,<sup>1</sup> interposed his good offices in appeasing him : and even Wolsey, having entertained no jealousy of Suffolk, who was content to participate in the king's pleasures, and had no ambition to engage in public business, was active in reconciling the king to his sister and brother-in-law ; and he obtained them permission to return to England.

<sup>1</sup> Petrus de Angleria, Epist. 544

## HENRY VIII.

## CHAPTER XXVIII.

Wolsey's Administration—Scotch affairs—Progress of Francis I.—Jealousy of Henry—Tournay delivered to France—Wolsey appointed Legate—His manner of exercising that office—Death of the Emperor Maximilian—Charles, king of Spain, chosen emperor—Interview between Henry and Francis near Calais—The emperor Charles arrives in England—Mediation of Henry—Trial and Condemnation of the duke of Buckingham.

THE numerous enemies, whom Wolsey's sudden elevation, his aspiring character, and his haughty deportment, had raised him, served only to rivet him faster in Henry's confidence; who valued himself on supporting the choice which he had made, and who was incapable of yielding, either to the murmurs of the people or to the discontents of the great. That artful prelate, likewise, well acquainted with the king's imperious temper, concealed from him the absolute ascendant which he had acquired; and, while he secretly directed all public councils, he ever pretended a blind submission to the will and authority of his master. By entering into the king's pleasures, he preserved his affection; by conducting his business, he gratified his indolence; and by his unlimited complaisance, in both capacities, he prevented all that jealousy, to which his exorbitant acquisitions, and his splendid, ostentatious train of life, should naturally have given birth. The archbishopric of York, falling vacant, by the death of Bambridge, Wolsey was promoted to that see, and resigned the bishopric of Lincoln. Besides enjoying the administration of Tournay, he got possession, on easy leases, of the revenues of Bath, Worcester, and Hereford, bishoprics, filled by Italians, who were allowed to reside abroad, and who were glad to compound for this indulgence, by yielding a considerable share of their income. He held, in commendam, the abbey of St. Albans, and many other church preferments. He was even allowed to unite with the see of York, first that of Durham, next that of Winchester; and there seemed to be no end of his acquisitions. His farther advancement, in ecclesiastical dignity, served him as a pretence for engrossing still more revenues: the pope, observing his great influence over the king, was desirous of engaging him in his interests, and created him a cardinal. No churchman, under colour of exacting respect to religion, ever carried to a greater height the state and dignity of that character. His train consisted of eight hundred servants, of whom many were knights and gentlemen: some, even of the nobility, put their children into his family, as a place of education; and in order to gain them favour with their patron, allowed them to bear offices as his servants. Whoever was distinguished, by any art or science, paid

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court to the cardinal; and none paid court in vain. Literature, which was then in its infancy, found in him a generous patron; and both by his public institutions and private bounty, he gave encouragement to every branch of erudition.<sup>1</sup> Not content with this munificence, which gained him the approbation of the wise, he strove to dazzle the eyes of the populace, by the splendour of his equipage and furniture, the costly embroidery of his liveries, the lustre of his apparel. He was the first clergyman in England that wore silk and gold, not only on his habit, but also on his saddles and the trappings of his horses.<sup>2</sup> He caused his cardinal's hat to be borne aloft, by a person of rank; and, when he came to the king's chapel, would permit it to be laid on no place but the altar. A priest, the tallest and most comely he could find, carried before him a pillar of silver, on whose top was placed a cross: but not satisfied with this parade, to which he thought himself entitled, as cardinal, he provided another priest, of equal stature and beauty, who marched along, bearing the cross of York, even in the diocese of Canterbury; contrary to the ancient rule, and the agreement between the prelates of these rival sees.<sup>3</sup> The people made merry with the cardinal's ostentation; and said they were now sensible that one crucifix alone was not sufficient for the expiation of his sins and offences.

Warham, chancellor and archbishop of Canterbury, a man of a moderate temper, averse to all disputes, chose rather to retire from public employment, than maintain an unequal contest with the haughty cardinal. He resigned his office of chancellor; and the great seal was immediately delivered to Wolsey. If this new accumulation of dignity increased his enemies, it also served to exalt his personal character, and prove the extent of his capacity. A strict administration of justice took place, during his enjoyment of this high office: and no chancellor ever discovered greater impartiality in his decisions, deeper penetration of judgment, or more enlarged knowledge of law and equity.<sup>4</sup>

The duke of Norfolk, finding the king's money almost entirely exhausted, by projects and pleasures, while his inclination for expense still continued, was glad to resign his office of treasurer, and retire from court. His rival, Fox, bishop of Winchester, reaped no advantage from his absence; but partly overcome by years and infirmities, partly disgusted at the ascendant acquired by Wolsey, withdrew himself wholly to the care of his diocese. The duke of Suffolk had, also, taken offence, that the king, by the cardinal's persuasion, had refused to pay a debt, which he had contracted, during his residence in France; and he thenceforth affected to live in privacy. These incidents left Wolsey to enjoy, without a rival, the whole power and favour of the king: and they put into his hands every kind of authority. In

<sup>1</sup> Eras. Epist. lib. 2. Epist. 1, lib. 16. Epist. 3. <sup>2</sup> Polydore Virgil, lib. 27. Stowe, p. 501. Holingshed, p. 847. <sup>3</sup> Polydore Virgil, lib. 27. <sup>4</sup> Sir Thomas More. Stowe, p. 504.



vain did Fox, before his retirement, warn the king "not to suffer  
 "the servant to be greater than his master:" Henry replied, CHAP.  
 "that he well knew how to retain all his subjects in obedience:" XXVIII.  
 but he continued still an unlimited deference, in every thing, to  
 the directions and counsels of the cardinal. 1515.

The public tranquillity was so well established in England, the obedience of the people so entire, the general administration of justice, by the cardinal's means,<sup>1</sup> so exact, that no domestic occurrence happened, considerable enough to disturb the repose of the king and his minister: they might even have dispensed with giving any strict attention to foreign affairs, were it possible for men to enjoy any situation in absolute tranquillity, or abstain from projects and enterprises, however fruitless and unnecessary.

The will of the late king of Scotland, who left his widow regent of the kingdom, and the vote of the convention of states, which confirmed the destination, had expressly limited her authority to the condition of her remaining unmarried;<sup>2</sup> but, notwithstanding this limitation, a few months after her husband's death, she espoused the earl of Angus, of the name of Douglas, a young nobleman of great family, and promising hopes. Some of the nobility now proposed the electing of Angus to the regency, and recommended this choice as the most likely means of preserving peace with England: but the jealousy of the great families, and the fear of exalting the Douglasses, begat opposition to the measure. Lord Hume, in particular, the most powerful chieftain in the kingdom, insisted on recalling the duke of Albany, son to a brother of James III. who had been banished into France, and who, having there married, had left posterity that were the next heirs to the crown, and the nearest relations to their young sovereign. Albany, though first prince of the blood, had never been in Scotland; was totally unacquainted with the manners of the people, ignorant of their situation, unpractised in their language; yet, such was the favour attending the French alliance, and so great the authority of Hume, that this prince was invited to accept the reins of government. Francis, careful not to give offence to the king of England, detained Albany, some time, in France; but, at length, sensible how important it was to keep Scotland in his interests, he permitted him to go over, and take possession of the regency: he even renewed the ancient league with that kingdom, though it implied such a close connexion, as might be thought somewhat to intrench on his alliance with England.

When the regent arrived in Scotland, he made inquiries concerning the state of the country, and character of the people; and he discovered a scene, with which he was, hitherto, but little acquainted. That turbulent kingdom, he found, was rather to be considered as a confederacy, and that not a close one, of

<sup>1</sup> Erasm. lib. 2, epist. 1. Cavendish. Hall. <sup>2</sup> Buchanan, lib. 14. Drummond. Herbert.

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petty princes, than a regular system of civil polity ; and even the king, much more a regent, possessed an authority very uncertain and precarious. Arms, more than laws, prevailed ; and courage, preferably to equity or justice, was the virtue most valued and respected. The nobility, in whom the whole power resided, were so connected by hereditary alliances, or so divided by inveterate enmities, that it was impossible, without employing an armed force, either to punish the most flagrant guilt, or give security to the most entire innocence. Rapine and violence, when exercised on a hostile tribe, instead of making a person odious, among his own clan, rather recommended him to their esteem and approbation ; and, by rendering him useful to the chieftain, entitled him to a preference above his fellows. And though the necessity of mutual support served as a close cement of amity among those of the same kindred, the spirit of revenge against enemies, and the desire of prosecuting the deadly feuds (so they were called) still appeared to be passions the most predominant among that uncultivated people.

The persons to whom Albany, on his arrival, first applied for information, with regard to the state of the country, happened to be inveterate enemies of Hume ;<sup>1</sup> and they represented that powerful nobleman as the chief source of public disorders, and the great obstacle to the execution of the laws and the administration of justice. Before the authority of the magistrate could be established, it was necessary, they said, to make an example of this great offender ; and, by the terror of his punishment, teach all lesser criminals to pay respect to the power of their sovereign. Albany, moved by these reasons, was induced to forget Hume's past services, to which he had, in a great measure, been indebted for the regency ; and he no longer bore towards him that favourable countenance, with which he was wont to receive him. Hume perceived the alteration, and was incited, both by regard to his own safety, and from motives of revenge, to take measures in opposition to the regent. He applied himself to Angus and the queen dowager, and represented to them the danger to which the infant prince was exposed, from the ambition of Albany, next heir to the crown, to whom the states had imprudently intrusted the whole authority of government. By his persuasion, Margaret formed the design of carrying off the young king, and putting him under the protection of her brother ; and when that conspiracy was detected, she herself, attended by Hume and Angus, withdrew into England, where she was, soon after, delivered of a daughter.

Henry, in order to check the authority of Albany and the French party, gave encouragement to these malcontents, and assured them of his support. Matters being afterwards, in appearance, accommodated between Hume and the regent, that nobleman returned into his own country ; but mutual suspicions and

<sup>1</sup> Buchanan, lib. 14. Drummond.

jealousies still prevailed. He was committed to custody, under the care of the earl of Arran, his brother-in-law; and was, for some time, detained prisoner in his castle. But having persuaded Arran to enter into the conspiracy with him, he was allowed to make his escape; and he openly levied war upon the regent. A new accommodation ensued, not more sincere than the foregoing, and Hume was so imprudent as to intrust himself, together with his brother, into the hands of that prince. They were immediately seized, committed to custody, brought to trial, condemned, and executed. No legal crime was proved against these brothers: it was only alleged, that, at the battle of Flouden, they had not done their duty in supporting the king; and as this backwardness could not, from the course of their past life, be ascribed to cowardice, it was commonly imputed to a more criminal motive. The evidence, however, of guilt, produced against them, was far from being valid or convincing; and the people, who hated them while living, were much dissatisfied with their execution.

Such violent remedies often produce, for some time, a deceitful tranquillity; but, as they destroy mutual confidence, and beget the most inveterate animosities, their consequences are commonly fatal, both to the public and to those who have recourse to them. The regent, however, took advantage of the present calm which prevailed; and being invited over, by the French king, who was, at that time, willing to gratify Henry, he went into France; and was engaged to remain there for some years. During the absence of the regent, some confusions prevailed in Scotland, and such mutual enmity, rapine, and violence, among the great families, that that kingdom was, for a long time, utterly disabled, both from offending its enemies and assisting its friends. We have carried on the Scottish history, some years beyond the present period; that, as that country had little connexion with the general system of Europe, we might be the less interrupted in the narration of those more memorable events, which were transacted in the other kingdoms.

It was foreseen, that a young, active prince, like Francis, and of so martial a disposition, would soon employ the great preparations, which his predecessor, before his death, had made for the conquest of Milan. He had been observed even to weep, at the recital of the military exploits of Gaston de Foix; and these tears of emulation, were held to be sure presages of his future valour. He renewed the treaty which Lewis had made with Henry; and, having left every thing secure behind him, he marched his armies towards the south of France; pretending that his sole purpose was, to defend his kingdom against the incursions of the Swiss. This formidable people still retained their animosity against France; and, having taken Maximilian, duke of Milan, under their protection, and, in reality, reduced him to absolute dependence, they were determined, from views both of honour and of interest, to defend him against the invader.<sup>1</sup> They

<sup>1</sup> *Mémoires de Bellai, lib. 1. Guicciardini, lib. 12.*



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fortified themselves in all those valleys of the Alps, through which they thought the French must necessarily pass; and when Francis, with great secrecy, industry, and perseverance, made his entrance into Piedmont, by another passage, they were not dismayed, but descended into the plain, though unprovided with cavalry, and opposed themselves to the progress of the French arms. At Marignan, near Milan, they fought with Francis one of the most furious and best contested battles, that is to be met with in the history of those later ages; and it required all the heroic valour of this prince, to inspire his troops with courage sufficient to resist the desperate assault of those mountaineers. After a bloody action, in the evening, night and darkness parted the combatants; but next morning the Swiss renewed the attack, with unabated ardour; and it was not till they had lost all their bravest troops, that they could be prevailed on to retire. The field was strewn with twenty thousand slain, on both sides; and the mareschal, Trivulzio, who had been present at eighteen pitched battles, declared, that every engagement which he had yet seen, was only the play of children; the action of Marignan was a combat of heroes.<sup>1</sup> After this great victory, the conquest of the Milanese was easy and open to Francis.

Jealousy  
of Henry. The success and glory of the French monarch began to excite jealousy in Henry; and his rapid progress, though in so distant a country, was not regarded, without apprehensions, by the English ministry. Italy was, during that age, the seat of religion, of literature, and of commerce; and, as it possessed, alone, that lustre, which has since been shared out among other nations, it attracted the attention of all Europe, and every acquisition, which was made there, appeared more important, than its weight, in the balance of power, was, strictly speaking, entitled to. Henry, also, thought that he had reason to complain of Francis, for sending the duke of Albany into Scotland, and undermining the power and credit of his sister, the queen dowager.<sup>2</sup> The repairing of the fortifications of Terouanne was, likewise, regarded as a breach of treaty. But above all, what tended to alienate the court of England, was the disgust which Wolsey had entertained against the French monarch.

Henry, on the conquest of Tournay, had refused to admit Lewis Gaillart, the bishop elect, to the possession of the temporalities, because that prelate declined taking the oath of allegiance to his new sovereign; and Wolsey was appointed, as above related, administrator of the bishopric. As the cardinal wished to obtain the free and undisturbed enjoyment of his revenue, he applied to Francis, and desired him to bestow on Gaillart some see of equal value in France, and to obtain his resignation of Tournay. Francis, who still hoped to recover possession of that city, and who feared that the full establishment of Wolsey, in the bishopric, would prove an obstacle to his purpose, had hi-

<sup>1</sup> Histoire de la Ligne de Cambray.<sup>2</sup> Père Daniel, vol. iii. p. 81.



therto neglected to gratify the haughty prelate; and the bishop of Tournay, by applying to the court of Rome, had obtained a bull for his settlement in the see. Wolsey, who expected to be indulged in every request, and who exacted respect from the greatest princes, resented the slight upon him by Francis; and he pushed his master to seek an occasion of quarrel with that monarch.<sup>1</sup>

Maximilian, the emperor, was ready to embrace every overture for a new enterprise; especially if attended with an offer of money, of which he was very greedy, very prodigal, and very indigent. Richard Pace, formerly secretary to cardinal Bambridge, and now secretary of state, was despatched to the court of Vienna, and had a commission to propose some considerable payments to Maximilian:<sup>2</sup> he thence made a journey into Switzerland, and by like motives, engaged some of the cantons to furnish troops to the emperor. That prince invaded Italy, with a considerable army; but being repulsed from before Milan, he retreated with his army into Germany, made peace with France and Venice, ceded Verona to that republic, for a sum of money, and thus excluded himself, in some measure, from all future access into Italy. And Henry found, that after expending five or six hundred thousand ducats, in order to gratify his own and the cardinal's humour, he had only weakened his alliance with Francis, without diminishing the power of that prince.

There were many reasons which engaged the king not to proceed farther, at present, in his enmity against France: he could hope for assistance from no power in Europe. Ferdinand, his father-in-law, who had often deceived him, was declining, through age and infirmities; and a speedy period was looked for, to the long and prosperous reign of that great monarch. Charles, prince of Spain, sovereign of the Low Countries, desired nothing but peace with Francis, who had it so much in his power, if provoked, to obstruct his peaceable accession to that rich inheritance, which was awaiting him. The pope was overawed by the power of France, and Venice was engaged in a close alliance with that monarchy.<sup>3</sup> Henry, therefore, was constrained to remain in tranquillity, during some time; and seemed to give himself no concern with regard to the affairs of the continent. In vain did Maximilian endeavour to allure him into some expense, by offering to make a resignation of the imperial crown in his favour. The artifice was too gross to succeed, even with a prince so little politic as Henry; and Pace, his envoy, who was perfectly well acquainted with the emperor's motives and character, gave him warning, that the sole view of that prince, in making him so liberal an offer, was to draw money from him.

While an universal peace prevailed in Europe, that event happened, which had been so long looked for, and from which

<sup>1</sup> Polydore Virgil, lib. 27.  
ciardini, lib. 12.

<sup>2</sup> Petrus de Angleria, epist. 568.

<sup>3</sup> Guic-

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such important consequences were expected, the death of Ferdinand, the Catholic, and the succession of his grandson, Charles, to his extensive dominions. The more Charles advanced in power and authority, the more was Francis sensible of the necessity he himself lay under, of gaining the confidence and friendship of Henry; and he took, at last, the only method by which he could obtain success, the paying of court, by presents and flattery, to the haughty cardinal.

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Bonnivet, admiral of France, was despatched to London, and he was directed to employ all his insinuation and address, qualities in which he excelled, to procure himself a place in Wolsey's good graces. After the ambassador had succeeded in his purpose, he took an opportunity of expressing his master's regret, that by mistakes and misapprehensions, he had been so unfortunate as to lose a friendship which he so much valued as that of his eminence. Wolsey was not deaf to these honourable advances, from so great a monarch; and he was thenceforth observed to express himself, on all occasions, in favour of the French alliance. The more to engage him in his interests, Francis entered into such confidence with him, that he asked his advice, even in his most secret affairs; and had recourse to him, in all difficult emergencies, as to an oracle of wisdom and profound policy. The cardinal made no secret to the king of this private correspondence; and Henry was so prepossessed in favour of the great capacity of his minister, that he said he verily believed he would govern Francis as well as himself.<sup>1</sup>

When matters seemed sufficiently prepared, Bonnavet opened to the cardinal his master's desire of recovering Tournay; and Wolsey, immediately, without hesitation, engaged to effect his purpose. He took an opportunity of representing to the king and council, that Tournay lay so remote from Calais, that it would be very difficult, if not impossible, in case of war, to keep the communication open between these two places: that, as it was situated on the frontiers both of France and the Netherlands, it was exposed to attacks from both these countries, and must necessarily, either by force or famine, fall into the hands of the first assailant: that even in time of peace, it could not be preserved without a large garrison, to restrain the numerous and mutinous inhabitants, ever discontented with the English government: and, that the possession of Tournay, as it was thus precarious and expensive, so was it entirely useless, and afforded little or no means of annoying, on occasion, the dominions either of Charles or of Francis.

Tournay  
ceded to  
France.

These reasons, were of themselves convincing, and were sure of meeting with no opposition, when they came from the mouth of the cardinal. A treaty, therefore, was entered into, for the ceding of Tournay; and, in order to give to that measure a more graceful appearance, it was agreed that the dauphin and

<sup>1</sup> Polydore Virgil, lib. 27.

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the princess Mary, both of them infants, should be betrothed, and that this city should be considered as the dowry of the princess. Such kinds of agreement were then common, among sovereigns, though it was very rare that the interests and views of the parties continued so steady, as to render the intended marriages effectual. But as Henry had been at considerable expense in building a citadel, at Tournay, Francis agreed to pay him six hundred thousand crowns, at twelve annual payments, and to put into his hands eight hostages, all of them men of quality, for the performance of the article:<sup>1</sup> and lest the cardinal should think himself neglected in these stipulations, Francis promised him a yearly pension of twelve thousand livres, as an equivalent for his administration of the bishopric of Tournay.

The French monarch, having succeeded so well in this negotiation, began to enlarge his views, and to hope for more considerable advantages, by practising on the vanity and self conceit of the favourite. He redoubled his flatteries to the cardinal, consulted him more frequently, in every doubt or difficulty, called him, in each letter, *father, tutor, governor*; and professed the most unbounded deference to his advice and opinion. All these caresses were preparatives to a negotiation, for the delivery of Calais, in consideration of a sum of money to be paid for it; and, if we may credit Polydore Virgil, who bears a particular ill-will to Wolsey, on account of his being dispossessed of his employment, and thrown into prison by that minister, so extraordinary a proposal met with a favourable reception from the cardinal. He ventured not, however, to lay the matter before the council: he was content to sound, privately, the opinion of the other ministers, by dropping hints in conversation, as if he thought Calais a useless burden to the kingdom:<sup>2</sup> but when he found that all men were strongly rivetted in a contrary persuasion, he thought it dangerous to proceed any farther in his purpose; and as he fell, soon after, into new connexions with the king of Spain, the great friendship between Francis and him began gradually to decline.

The pride of Wolsey was now farther increased, by a great accession of power and dignity. Cardinal Campeggio had been sent, as legate, into England, in order to procure a tithe from the clergy, for enabling the pope to oppose the progress of the Turks; a danger which was become real, and was formidable to all Christendom, but on which the politics of the court of Rome had built so many interested projects, that it had lost all influence on the minds of men. The clergy refused to comply with Leo's demands; Campeggio was recalled: and the king desired of the pope that Wolsey, who had been joined in this commission, might alone be invested with the legatine power, together with the right of visiting all the clergy and monasteries, and even with suspending all the laws of the church during a twelve-

<sup>1</sup> Mémoires de Bellai, lib. 1. <sup>2</sup> Polydore Virgil, lib. 27.

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month. Wolsey having obtained this new dignity, made a new display of that state and parade, to which he was so much addicted. On solemn feast days, he was not content with saying mass after the manner of the pope himself: not only he had bishops and abbots to serve him; he even engaged the first nobility to give him water and the towel. He affected a rank superior to what had ever been claimed, by any churchman, in England. Warham, the primate, having written him a letter, in which he subscribed himself *your loving brother*, Wolsey complained of his presumption in thus challenging an equality with him. When Warham was told what offence he had given, he made light of the matter:—"Know ye not," said he, "that this man is drunk with too much prosperity?"

His manner or exercising that office.

But Wolsey carried the matter much farther than vain pomp and ostentation. He erected an office, which he called the legatine court; and as he was now, by means of the pope's commission, and the king's favour, invested with all power, both ecclesiastical and civil, no man knew what bounds were to be set to the authority of his new tribunal. He conferred on it a kind of inquisitorial and censorial power, even over the laity, and directed it to inquire into all matters of conscience; into all conduct which had given scandal; into all actions which, though they escaped the law, might appear contrary to good morals. Offence was taken at this commission, which was really unbounded; and the people were the more disgusted, when they saw a man, who indulged himself in pomp and pleasure, so severe in repressing the least appearance of licentiousness in others. But to render his court more obnoxious, Wolsey made one John Allen judge in it, a person of scandalous life,<sup>1</sup> whom he, himself, as chancellor, had, it is said, condemned for perjury: and, as it is pretended, that this man either extorted fines from every one, whom he was pleased to find guilty, or took bribes to drop prosecutions, men concluded, and with some appearance of reason, that he shared with the cardinal those wages of iniquity. The clergy, and, in particular, the monks, were exposed to this tyranny; and as the libertinism of their lives often gave a just handle against them, they were obliged to purchase an indemnity, by paying large sums of money to the legate or his judge. Not content with this authority, Wolsey pretended, by virtue of his commission, to assume the jurisdiction of all the bishops' courts; particularly that of judging of wills and testaments; and his decisions, in those important points, were deemed not a little arbitrary. As if he himself were pope, and as if the pope could absolutely dispose of every ecclesiastical preferment, he presented, to whatever priories or benefices he pleased, without regard to the right of election in the monks, or of patronage in the nobility and gentry.<sup>2</sup>

<sup>1</sup> Strype's Memorials, vol. i. p. 145. <sup>2</sup> Polydore Virg. lib. 27. This whole narrative has been copied, by all the historians, from the author here cited:



No one durst carry to the king any complaint against these usurpations of Wolsey, till Warham ventured to inform him of the discontents of his people. Henry professed his ignorance of the whole matter. "A man," said he, "is not so blind, any where, as in his own house : but do you, father," added he, to the primate, "go to Wolsey, and tell him, if any thing be amiss, that he amend it." A reproof of this kind was not likely to be effectual: it only served to augment Wolsey's enmity to Warham ; but one London having prosecuted Allen, the legate's judge, in a court of law, and having convicted him of malversation and iniquity, the clamour at last reached the king's ears; and he expressed such displeasure to the cardinal, as made him ever after more cautious in exerting his authority.

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While Henry, indulging himself in pleasure and amusement, intrusted the government of his kingdom to this imperious minister, an incident happened abroad, which excited his attention. Maximilian, the emperor, died; a man, who, of himself, was indeed, of little consequence; but as his death left vacant the first station among Christian princes, it set the passions of men in agitation, and proved a kind of era in the general system of Europe. The kings of France and Spain immediately declared themselves candidates for the imperial crown: and employed every expedient of money or intrigue, which promised them success in so great a point of ambition. Henry, also, was encouraged to advance his pretensions; but his minister, Pace, who was despatched to the electors, found that he began to solicit too late, and that the votes of all these princes were already pre-engaged, either on one side or the other.

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12th Jan.  
Death of  
the empe-  
ror Maxi-  
milian.

Francis and Charles made profession, from the beginning, of carrying on this rivalry with emulation, but without enmity; and Francis, in particular, declared, that his brother Charles and he were, fairly and openly, suitors to the same mistress: the more fortunate, added he, will carry her; the other must rest contented.<sup>1</sup> But all men apprehended, that this extreme moderation, however reasonable, would not be of long duration; and that incidents would certainly occur, to sharpen the minds of the candidates against each other. It was Charles, who at length prevailed, to the great disgust of the French monarch, who still continued, to the last, in the belief, that the majority of the electoral college was engaged in his favour. And as he was some years superior in age to his rival, and, after his victory at Marignan, and conquest of the Milanese, much superior in renown, he could not suppress his indignation at being thus, in the face of the world, after long and anxious expectation, dis-

Charles,  
king of  
Spain,  
chosen  
emperor.

there are many circumstances, however, very suspicious, both because of the obvious partiality of the historian, and because the parliament, when they afterwards examined Wolsey's conduct, could find no proof of any material offence he had ever committed.

<sup>1</sup> Balcaria, lib. 16. Guicciardini, lib. 13.

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appointed in so important a pretension. From this competition, as much as from opposition of interests, arose that emulation between those two great monarchs: which, while it kept their whole age in movement, sets them in so remarkable a contrast to each other; both of them princes, endowed with talents and abilities; brave, aspiring, active, warlike; beloved by their servants and subjects, dreaded by their enemies, and respected by all the world: Francis, open, frank, liberal, munificent, carrying these virtues to an excess which prejudiced his affairs: Charles, political, close, artful, frugal; better qualified to obtain success in wars and in negotiations, especially the latter. The one the more amiable man, the other the greater monarch. The king, from his oversights and indiscretions, naturally exposed to misfortunes; but qualified, by his spirit and magnanimity, to extricate himself from them with honour: the emperor, by his designing, interested character, fitted, in his greatest successes, to excite jealousy and opposition, even among his allies, and to rouse up a multitude of enemies, in the place of one whom he had subdued. And as the personal qualities of these princes thus counterpoised each other, so did the advantages and disadvantages of their dominions. Fortune alone, without the concurrence of prudence or valour, never reared up, of a sudden, so great a power as that which centred in the emperor Charles. He reaped the succession of Castile, of Arragon, of Austria, of the Netherlands: he inherited the conquest of Naples, of Grenada: election entitled him to the empire; even the bounds of the globe seemed to be enlarged, a little before his time, that he might possess the whole treasure, as yet entire and unrifled, of the new world. But though the concurrence of all these advantages formed an empire, greater and more extensive, than any known in Europe, since that of the Romans, the kingdom of France alone, being close, compact, united, rich, populous, and being interposed between the provinces of the emperor's dominions, was able to make a vigorous opposition to his progress, and maintain the contest against him.

Henry possessed the felicity of being able, both by the native force of his kingdom and its situation, to hold the balance between those two powers; and had he known to improve by policy and prudence, this singular and inestimable advantage, he was really, by means of it, a greater potentate than either of these mighty monarchs, who seemed to strive for the dominion of Europe. But this prince was, in his character, heedless, inconsiderate, capricious, impolitic; guided by his passions or his favourite; vain, imperious, haughty; sometimes actuated by friendship for foreign powers, oftener by resentment, seldom by his true interest. And thus, though he exulted in that superiority which his situation in Europe gave him, he never employed it to his own essential and durable advantage, or to that of his kingdom.

Francis was well acquainted with Henry's character, and endeavoured to accommodate his conduct to it. He solicited an interview, near Calais, in expectation of being able, by familiar conversation, to gain upon his friendship and confidence. Wolsey earnestly seconded this proposal, and hoped, in the presence of both courts, to make parade of his riches, his splendour, and his influence over both monarchs;<sup>1</sup> and, as Henry himself loved show and magnificence, and had entertained a curiosity of being personally acquainted with the French king, he cheerfully adjusted all the preliminaries of this interview. The nobility of both nations vied with each other in pomp and expense: many of them involved themselves in great debts, and were not able, by the penury of their whole lives, to repair the vain splendour of a few days. The duke of Buckingham, who, though very rich, was somewhat addicted to frugality, finding his preparations for this festival amount to immense sums, threw out some expressions of displeasure against the cardinal, whom he believed the author of that measure<sup>2</sup>—an imprudence which was not forgotten by the minister.

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Interview  
between  
Henry and  
Francis, at  
Calais.

While Henry was preparing to depart for Calais, he heard that the emperor was arrived at Dover; and he immediately hastened thither, with the queen, in order to give a suitable reception to his royal guest. That great prince, politic, though young, being informed of the intended interview between Francis and Henry, was apprehensive of the consequences, and was resolved to take the opportunity, in his passage from Spain to the Low Countries, to make the king still a higher compliment, by paying him a visit in his own dominions. Besides the marks of regard and attachment which he gave to Henry, he strove, by every testimony of friendship, by flattery, protestations, promises and presents, to gain on the vanity, the avarice, and the ambition of the cardinal. He here instilled into this aspiring prelate the hope of attaining the papacy; and, as that was the sole point of elevation beyond his present greatness, it was sure to attract his wishes, with the same ardour as if fortune had never yet favoured him with any of her presents. In confidence of reaching this dignity, by the emperor's assistance, he secretly devoted himself to that monarch's interests; and Charles was, perhaps, the more liberal of his promises, because Leo was a very young man; and it was not likely that, for many years, he should be called upon to fulfil his engagements. Henry easily observed this courtship paid to his minister; but instead of taking umbrage at it, he only made it a subject of vanity; and believed that, as his favour was Wolsey's sole support, the obeisance of such mighty monarchs to his servant, was, in reality, a more conspicuous homage to his own grandeur.

The em-  
peror  
Charles  
arrives in  
England,  
25th May.

The day of Charles's departure, Henry went over to Calais, 30th May, with the queen, and his whole court; and thence proceeded to

<sup>1</sup> Polydore Virg. lib. 27.    <sup>2</sup> Ibid. Herbert. Holingshed, p. 855.

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Guisnes, a small town, near the frontiers. Francis, attended in like manner, came to Ardres, a few miles distant; and the two monarchs met, for the first time, in the fields, at a place situated between these two towns, but still within the English pale: for Francis agreed to pay this compliment to Henry, in consideration of that prince's passing the sea, that he might be present at the interview. Wolsey, to whom both kings had intrusted the regulation of the ceremonial, contrived this circumstance, in order to do honour to his master. The nobility, both of France and England, here displayed their magnificence with such emulation and profuse expense, as procured to the place of interview the name of *the field of the cloth of gold*.

The two monarchs, after saluting each other in the most cordial manner, retired into a tent, which had been erected on purpose, and they held a secret conference together. Henry here proposed to make some amendments, on the articles of their former alliance; and he began to read the treaty, *I, Henry, king*: these were the first words; and he stopped a moment. He subjoined only the words *of England*, without adding *France*, the usual style of the English monarchs.<sup>1</sup> Francis remarked this delicacy, and expressed, by a smile, his approbation of it.

He took an opportunity, soon after, of paying a compliment to Henry, of a more flattering nature. That generous prince, full of honour himself, and incapable of distrusting others, was shocked at all the precautions which were observed, whenever he had an interview with the English monarch: the number of their guards and attendants, was carefully reckoned, on both sides; every step was scrupulously measured and adjusted; and if the two kings intended to pay a visit to the queens, they departed from their respective quarters at the same instant, which was marked by the firing of a culverin; they passed each other in the middle point between the places; and, the moment that Henry entered Ardres, Francis put himself into the hands of the English, at Guisnes. In order to break off this tedious ceremonial, which contained so many dishonourable implications, Francis, one day, took with him two gentlemen and a page, and rode directly into Guisnes. The guards were surprised at the presence of the monarch, who called aloud to them, *You are all my prisoners: carry me to your master*. Henry was equally astonished at the appearance of Francis; and, taking him in his arms, "My brother," said he, "you have here played me the most agreeable trick in the world, and have showed me the full confidence I may place in you: I surrender myself your prisoner from this moment." He took from his neck a collar of pearls, worth fifteen thousand angels;<sup>2</sup> and putting it about Francis', begged him to wear it for the sake of his prisoner. Francis agreed, but on condition that Henry should wear a bracelet, of

<sup>1</sup> Mémoires de Fleuranges. <sup>2</sup> An angel was then estimated at seven shillings, or near twelve of our present money.



which he made him a present, and which was double in value to the collar.<sup>1</sup> The king went, next day, to Andres, without guards or attendants; and confidence being now fully established between the two monarchs, they employed the rest of the time entirely in tournaments and festivals.

A defiance had been sent, by the two kings, to each other's court, and through all the chief cities in Europe, importing that Henry and Francis, with fourteen aids, would be ready, in the plains of Picardy, to answer all comers, that were gentlemen, at tilt, tournament, and barriers. The monarchs, in order to fulfil this challenge, advanced into the field on horseback, Francis surrounded with Henry's guards, and Henry with those of Francis. They were gorgeously apparelled; and were both of them the most comely personages of their age, as well as the most expert in every military exercise. They carried away the prize at all trials, in those rough and dangerous pastimes; and several horses and riders were overthrown, by their vigour and dexterity. The ladies were the judges in those feats of chivalry, and put an end to the rencounter, whenever they judged it expedient. Henry erected a spacious house, of wood and canvass, which had been framed in London; and he there feasted the French monarch. He had placed a motto on this fabric, under the figure of an English archer embroidered on it, *Cui adhæreo præest; He prevails whom I favour*:<sup>2</sup> expressing his own situation, as holding in his hands the balance of power among the potentates of Europe. In these entertainments, more than in any serious business, did the two kings pass their time, till their departure.

Henry paid then a visit to the emperor and Margaret, of Savoy, at Gravelines, and engaged them to go along with him to Calais, and pass some days in that fortress. The artful and politic Charles here completed the impression, which he had begun to make on Henry and his favourite, and effaced all the friendship to which the frank and generous nature of Francis had given birth. As the house of Austria began sensibly to take the ascendant over the French monarchy, the interests of England required, that some support should be given to the latter; and, above all, that any important wars should be prevented, which might bestow on either of them a decisive superiority over the other. But the jealousy of the English against France, has usually prevented a cordial union between these nations; and Charles, sensible of this hereditary animosity, and desirous farther to flatter Henry's vanity, had made him an offer (an offer in which Francis was afterwards obliged to concur) that he should be entirely arbiter in any dispute or difference that might arise between the monarchs. But the master-piece of Charles's politics, was the securing of Wolsey in his interests, by very important services, and still higher promises. He renewed

<sup>1</sup> Mémoires de Fleuranges.    <sup>2</sup> Mezeray.

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assurances of assisting him in obtaining the papacy; and he put him in present possession of the revenues belonging to the sees of Badajox and Palencia, in Castile. The acquisitions of Wolsey were now become so exorbitant, that, joined to the pensions from foreign powers, which Henry allowed him to possess, his revenues were computed nearly equal to those which belonged to the crown itself; and he spent them with a magnificence, or rather an ostentation, which gave general offence to the people, and even lessened his master in the eyes of all foreign nations.<sup>1</sup>

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war between  
Charles  
and Francis.

Mediation of  
Henry.

The violent personal emulation and political jealousy, which had taken place between the emperor and the French king, soon broke out in hostilities. But while these ambitious and warlike princes were acting against each other, in almost every part of Europe, they still made professions of the strongest desire of peace; and both of them incessantly carried their complaints to Henry, as to the umpire between them. The king, who pretended to be neutral, engaged them to send their ambassadors to Calais, there to negotiate a peace, under the mediation of Wolsey and the pope's unco. The emperor was well apprised of the partiality of these mediators; and his demands, in the conference, were so unreasonable, as plainly proved him conscious of the advantage. He required the restitution of Burgundy, a province which many years before had been ceded to France, by treaty, and which, if in his possession, would have given him entrance into the heart of that kingdom: and he demanded to be freed from the homage, which his ancestors had always done for Flanders and Artois, and which he himself had, by the treaty of Noyon, engaged to renew. On Francis' rejecting these terms, the congress of Calais broke up, and Wolsey, soon after, took a journey to Bruges, where he met with the emperor. He was received with the same state, magnificence, and respect, as if he had been the king of England himself; and he concluded, in his master's name, an offensive alliance with the pope and the emperor, against France. He stipulated, that England should, next summer, invade that kingdom, with forty thousand men; and he betrothed to Charles the princess Mary, the king's only child, who had now some prospect of inheriting the crown.— This extravagant alliance, which was prejudicial to the interests, and might have proved fatal to the liberty and independence of the kingdom, was the result of the humours and prejudices of the king, and the private views and expectations of the cardinal.

4th Nov.

Trial and  
condemnation of  
the duke of  
Buckingham.

The people saw, every day, new instances of the uncontrolled authority of this minister. The duke of Buckingham, constable of England, the first nobleman, both for family and fortune, in the kingdom, had imprudently given disgust to the cardinal; and it was not long before he found reason to repent of his indiscretion. He seems to have been a man full of levity and rash projects; and, being infatuated with judicial astrology, he entertain-

<sup>1</sup> Polydore Virg. Hall.

ed a commerce with one Hopkins, a Carthusian friar, who encouraged him in the notion of his mounting, one day, the throne of England. He was descended, by a female, from the duke of Gloucester, youngest son of Edward III.; and, though his claim to the crown was thereby very remote, he had been so unguarded, as to let fall some expressions, as if he thought himself best entitled, in case the king should die without issue, to possess the royal dignity. He had not even abstained from threats against the king's life, and had provided himself with arms, which he intended to employ, in case a favourable opportunity should offer. He was brought to a trial; and the duke of Norfolk, whose son, the earl of Surrey, had married Buckingham's daughter, was created lord steward, in order to preside at this solemn procedure. The jury consisted of a duke, a marquis, seven earls, and twelve barons; and they gave their verdict against Buckingham, which was soon after carried into execution. There is no reason to think the sentence unjust;<sup>1</sup> but as Buckingham's crimes seem to proceed more from indiscretion than deliberate malice, the people, who loved him, expected that the king would grant him a pardon, and imputed their disappointment to the animosity and revenge of the cardinal. The king's own jealousy, however, of all persons allied to the crown, was, notwithstanding his undoubted title, very remarkable, during the whole course of his reign, and was alone sufficient to render him implacable against Buckingham. The office of constable, which this nobleman inherited from the Bohuns, earls of Hereford, was forfeited, and was never after revived in England.

<sup>1</sup> Herbert. Hall. Stowe, p. 513. Holingshed, p. 862.

## CHAPTER XXIX.

Digression concerning the Ecclesiastical State—Origin of the Reformation—Martin Luther—Henry receives the title of Defender of the Faith—Causes of the progress of the Reformation—War with France—Invasion of France—War with Scotland—A Parliament—Invasion of France—Italian wars—The king of France invades Italy—Battle of Pavia, and captivity of Francis—Francis recovers his Liberty—Sack of Rome—League with France:

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DURING some years, many parts of Europe had been agitated with those religious controversies, which produced the reformation, one of the greatest events in history: but, as it was not till this time, that the king of England publicly took part in the quarrel, we had no occasion to give any account of its rise and progress. It will now be necessary, to explain these theological disputes; or, what is more material, to trace, from their origin, those abuses which so generally diffused the opinion, that a reformation of the church, or ecclesiastical order, was become highly expedient, if not absolutely necessary. We shall be better enabled to comprehend the subject, if we take the matter a little higher, and reflect a moment on the reasons why there must be an ecclesiastical order and a public establishment of religion in every civilized community. The importance of the present occasion will, I hope, excuse this short digression.

Digres-  
sion con-  
cerning  
the eccle-  
siastical  
state.

Most of the arts and professions in a state, are of such a nature, that, while they promote the interests of the society, they are also useful or agreeable to some individuals; and, in that case, the constant rule of the magistrate, except, perhaps, on the first introduction of any art, is to leave the profession to itself, and trust its encouragement to those who reap the benefit of it. The artisans, finding their profits to rise, by the favour of their customers, increase, as much as possible, their skill and industry; and, as matters are not disturbed by any injudicious tampering, the commodity is always sure to be, at all times, nearly proportioned to the demand.

But there are, also, some callings, which though useful, and even necessary in a state, bring no particular advantage or pleasure to any individual; and the supreme power is obliged to alter its conduct, with regard to the retainers of those professions. It must give them public encouragement, in order to their subsistence; and it must provide against that negligence, to which they will naturally be subject, either by annexing peculiar honours to the profession, by establishing a long subordination of ranks, and a strict dependence, or by some other expedient. The persons employed in the finances, armies, fleets, and magistracy, are instances of this order of men.

It may naturally be thought, at first sight, that the ecclesiastics belong to the first class, and that their encouragement, as well as that of lawyers and physicians, may safely be intrusted



to the liberality of individuals, who are attached to their doctrines, and who find benefit, or consolation, from their spiritual ministry and assistance. Their industry and vigilance will, no doubt, be whetted by such an additional motive; and their skill in their profession, as well as their address in governing the minds of the people, must receive daily increase, from their increasing practice, study, and attention.

But, if we consider the matter more closely, we shall find, that this interested diligence of the clergy, is what every wise legislature will study to prevent; because, in every religion, except the true, it is highly pernicious, and it has even a natural tendency to pervert the true, by infusing into it a strong mixture of superstition, folly and delusion. Each ghostly practitioner, in order to render himself more precious and sacred in the eyes of his retainers, will inspire them with the most violent abhorrence of all other sects, and continually endeavour, by some novelty, to excite the languid devotion of his audience. No regard will be paid to truth, morals, or decency, in the doctrines inculcated. Every tenet will be adopted, that best suits the disorderly affections of the human frame. Customers will be drawn to each conventicle, by new industry and address, in practising on the passions and credulity of the populace. And, in the end, the civil magistrate will find, that he has dearly paid for his pretended frugality, in saving a fixed establishment for the priests; and that, in reality, the most decent and advantageous composition which he can make with the spiritual guides, is to bribe their indolence, by assigning stated salaries to their profession, and rendering it superfluous for them to be farther active, than merely to prevent their flock from straying in quest of new pastures. And, in this manner, ecclesiastical establishments, though commonly they arose, at first, from religious views, prove in the end, advantageous to the political interests of society.

But we may observe, that few ecclesiastical establishments have been fixed upon a worse foundation than that of the church of Rome, or have been attended with circumstances more hurtful to the peace and happiness of mankind.

The large revenues, privileges, immunities, and powers of the clergy, rendered them formidable to the civil magistrate, and armed with too extensive authority an order of men, who always adhere closely together, and who never want a plausible pretence for their encroachments and usurpations. The higher dignities of the church served, indeed, to the support of gentry and nobility; but by the establishment of monasteries, many of the lowest vulgar were taken from the useful arts, and maintained in those receptacles of sloth and ignorance. The supreme head of the church, was a foreign potentate, guided by interests always different from those of the community, sometimes contrary to them. And as the hierarchy was necessarily solicitous to preserve an unity of faith, rites and ceremonies, all liberty of thought ran a manifest risk of being extinguished; and violent

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persecutions, or what was worse, a stupid and abject credulity, took place every where.

To increase these evils, the church, though she possessed large revenues, was not contented with her acquisitions, but retained a power of practising farther on the ignorance of mankind. She even bestowed on each individual priest, a power of enriching himself, by the voluntary oblations of the faithful, and left him still an urgent motive for diligence and industry in his calling. And thus, that church, though an expensive and burdensome establishment, was liable to many of the inconveniences which belong to an order of priests, trusting entirely to their own art and invention for obtaining a subsistence.

The advantages attending the Romish hierarchy, were but a small compensation for its inconveniences. The ecclesiastical privileges, during barbarous times, had served as a check on the despotism of the kings. The union of all the western churches, under the supreme pontiff, facilitated the intercourse of nations, and tended to bind all the parts of Europe into a close connexion with each other. And the pomp and splendour of worship, which belonged to so opulent an establishment, contributed, in some respect, to the encouragement of the fine arts, and began to diffuse a general elegance of taste, by uniting it with religion.

It will easily be conceived, that though the balance of evil prevailed in the Romish church, this was not the chief reason which produced the reformation. A concurrence of incidents must have contributed to forward that great revolution.

Leo X. by his generous and enterprising temper, had much exhausted his treasury, and was obliged to employ every invention, which might yield money, in order to support his projects, pleasures, and liberalities. The scheme of selling indulgences was suggested to him, as an expedient which had often served in former times, to draw money from the Christian world, and make devout people willing contributors to the grandeur and riches of the court of Rome. The church, it was supposed, was possessed of a great stock of merit, as being entitled to all the good works of all the saints, beyond what were employed in their own justification; and even to the merits of Christ himself, which were infinite and unbounded: and from this unexhausted treasury, the pope might retain particular portions, and by that traffic, acquire money, to be employed in pious purposes, in resisting the infidels, or subduing schismatics. When the money came into his exchequer, the greater part of it was usually diverted to other purposes.<sup>1</sup>

It is commonly believed, that Leo, from the penetration of his genius, and his familiarity with ancient literature, was fully acquainted with the ridicule and falsity of the doctrines which, as supreme pontiff, he was obliged, by his interest, to promote:

<sup>1</sup> Father Paul and Sleidan.

it is the less wonder, therefore, that he employed, for his profit, those pious frauds which his predecessors, the most ignorant and credulous, had always, under plausible pretences, made use of for their selfish purposes. He published the sale of a general indulgence;<sup>1</sup> and, as his expenses had not only exhausted his usual revenue, but even anticipated the money expected from this extraordinary expedient, the several branches of it were openly given away to particular persons, who were entitled to levy the imposition. The produce, particularly of Saxony, and the countries bordering on the Baltic, was assigned to his sister, Magdalene, married to Cibo, natural son of Innocent VIII. and she, in order to enhance her profit, had farmed out the revenue to one Arcemboldi, a Genoese, once a merchant, now a bishop, who still retained all the lucrative arts of his former profession.<sup>2</sup> The Austin friars had usually been employed in Saxony, to preach the indulgences, and, from this trust, had derived both profit and consideration: but Arcemboldi, fearing lest practice might have taught them means to secrete the money,<sup>3</sup> and expecting no extraordinary success from the ordinary methods of collection, gave this occupation to the Dominicans. These monks, in order to prove themselves worthy of the distinction conferred on them, exaggerated the benefits of indulgences, by the most unbounded panegyrics; and advanced doctrines on that head, which, though not more ridiculous than those already received, were not, as yet, entirely familiar to the ears of the people.\* To add to the scandal, the collectors of this revenue are said to have lived very licentious lives, and to have spent, in taverns, gaming-houses, and places still more infamous, the money which devout persons had saved from their usual expenses, in order to purchase a remission of their sins.<sup>4</sup>

All these circumstances might have given offence, but would have been attended with no event of any importance, had there not arisen a man qualified to take advantage of the incident. Martin Luther, an Austin friar, professor in the university of Wittenberg, resenting the affront put upon his order, began to preach against these abuses, in the sale of indulgences: and being naturally of a fiery temper, and provoked by opposition, he proceeded even to decry indulgences themselves; and was thence carried, by the heat of dispute, to question the authority of the pope, from which his adversaries derived their chief arguments against him.<sup>5</sup> Still, as he enlarged his reading, in order to support these tenets, he discovered some new abuse or error in the church of Rome; and finding his opinions greedily hearkened to, he promulgated them, by writing, discourse, sermon, conference;<sup>6</sup> and daily increased the number of his disci-

<sup>1</sup> In 1517. <sup>2</sup> Father Paul, Sleidan. <sup>3</sup> Father Paul, lib. 1. \* See note [P] at the end of the volume. <sup>4</sup> Father Paul, lib. 1. <sup>5</sup> Father Paul, Sleidan. <sup>6</sup> Father Paul, lib. 1.

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ples. All Saxony, all Germany, all Europe, were, in a very little time, filled with the voice of this daring innovator; and men, roused from that lethargy, in which they had so long slept, began to call in question the most ancient and most received opinions. The elector of Saxony, favourable to Luther's doctrine, protected him from the violence of the papal jurisdiction: the republic of Zurich, even reformed their church, according to the new model: many sovereigns of the empire, and the imperial diet itself, showed a favourable disposition towards it: and Luther, a man naturally inflexible, vehement, opinionative, was become incapable, either from promises of advancement, or terrors of severity, to relinquish a sect, of which he was himself the founder, and which brought him a glory superior to all others, the glory of dictating the religious faith and principles of multitudes.

The rumour of these innovations, soon reached England; and, as there still subsisted in that kingdom great remains of the Lollards, whose principles resembled those of Luther, the new doctrines secretly gained many partisans among the laity, of all ranks and denominations. But Henry had been educated in a strict attachment to the church of Rome, and he bore a particular prejudice against Luther, who, in his writings, spoke with contempt of Thomas Aquinas, the king's favourite author: he opposed himself, therefore, to the progress of the Lutheran tenets, by all the influence which his extensive and almost absolute authority conferred upon him: he even undertook to combat them with weapons not usually employed by monarchs, especially those in the flower of their age and force of their passions. He wrote a book, in Latin, against the principles of Luther; a performance, which, if allowance be made for the subject and the age, does no discredit to his capacity. He sent a copy of it to Leo, who received so magnificent a present with great testimony of regard; and conferred on him the title of *defender of the faith*; an appellation still retained by the kings of England. Luther, who was in the heat of controversy, soon published an answer to Henry; and, without regard to the dignity of his antagonist, treated him with all the acrimony of style, to which, in the course of his polemics, he had so long been accustomed. The king, by this ill usage, was still more prejudiced against the new doctrines; but the public, who naturally favour the weaker party, were inclined to attribute to Luther the victory in the dispute.<sup>1</sup> And as the controversy became more illustrious by Henry's entering the lists, it drew still more the attention of mankind; and the Lutheran doctrine daily acquired new converts in every part of Europe.

Henry receives the title of defender of the faith.

Causes of the progress of the reformation.

The quick and surprising progress of this bold sect, may justly, in part, be ascribed to the late invention of printing, and revival of learning. Not that reason bore any considerable share

<sup>1</sup> Father Paul, lib. 1.



in opening men's eyes, with regard to the impostures of the Romish church; for of all branches of literature, philosophy had, as yet, and till long afterwards, made the most inconsiderable progress; neither is there any instance, that argument has ever been able to free the people from that enormous load of absurdity, with which superstition has every where overwhelmed them; not to mention, that the rapid advance of the Lutheran doctrine, and the violence with which it was embraced, prove sufficiently, that it owed not its success to reason and reflection. The art of printing, and the revival of learning, forwarded its progress in another manner. By means of that art, the books of Luther and his sectaries, full of vehemence, declamation, and a rude eloquence, were propagated more quickly, and in greater numbers. The minds of men, somewhat awakened from a profound sleep, of so many centuries, were prepared for every novelty, and scrupled less to tread in any unusual path, which was opened to them. And as copies of the Scriptures, and other ancient monuments of the Christian faith, became more common, men perceived the innovations, which were introduced, after the first centuries; and though argument and reasoning could not give conviction, an historical fact, well supported, was able to make impression on their understandings. Many of the powers, indeed, assumed by the church of Rome, were very ancient, and were prior to almost every political government established in Europe; but as the ecclesiastics would not agree to possess their privileges, as matters of civil right, which time might render valid, but appealed still to a divine origin, men were tempted to look into their primitive charter; and they could, without much difficulty, perceive its defect in truth and authenticity.

In order to bestow on this topic the greater influence, Luther and his followers, not satisfied with opposing the pretended divinity of the Romish church, and displaying the temporal inconveniences of that establishment, carried matters much farther, and treated the religion of their ancestors as abominable, detestable, damnable; foretold, by sacred writ itself, as the source of all wickedness and pollution. They denominated the pope antichrist, called his communion the scarlet whore, and gave to Rome the appellation of Babylon; expressions which, however applied, were to be found in Scripture, and which were better calculated to operate on the multitude, than the most solid arguments. Excited by contest and persecution, on the one hand, by success and applause on the other, many of the reformers carried to the greatest extremity their opposition to the church of Rome; and, in contradiction to the multiplied superstitions, with which that communion was loaded, they adopted an enthusiastic strain of devotion, which admitted of no observances, rites, or ceremonies, but placed all merit in a mysterious species of faith, inward vision, rapture, and ecstasy. The new sectaries, seized with this spirit, were indefatigable in the

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propagation of their doctrine, and set at defiance all the anathemas and punishments, with which the Roman pontiff endeavoured to overwhelm them.

That the civil power, however, might afford them protection against the ecclesiastical jurisdiction, the Lutherans advanced doctrines favourable, in some respect, to the temporal authority of sovereigns. They inveighed against the abuses of the court of Rome, with which men were, at that time, generally discontented; and they exhorted princes to reinstate themselves in those powers, of which the encroaching spirit of the ecclesiastics, especially of the Roman pontiff, had so long bereaved them. They condemned celibacy and monastic vows, and thereby opened the doors of the convents to those who were either tired of the obedience and chastity, or disgusted with the license in which they had hitherto lived. They blamed the excessive riches, the idleness, the libertinism of the clergy; and pointed out their treasures and revenues, as lawful spoil to the first invader. And, as the ecclesiastics had hitherto conducted a willing and stupid audience, and were totally unacquainted with controversy, much more with every species of true literature, they were unable to defend themselves against men armed with authorities, quotations, and popular topics, and qualified to triumph in every altercation or debate. Such were the advantages with which the reformers began their attack on the Romish hierarchy; and such were the causes of their rapid and astonishing success.

1st Dec.

Leo X. whose oversights and too supine trust in the profound ignorance of the people, had given rise to this sect, but whose sound judgment, moderation, and temper, were well qualified to retard its progress, died, in the flower of his age, a little after he received the king's book against Luther; and he was succeeded in the papal chair by Adrian, a Fleming, who had been tutor to the emperor Charles. This man was fitted to gain on the reformers, by the integrity, candour, and simplicity of manners, which distinguished his character; but so violent were their prejudices against the church, he rather hurt the cause, by his imprudent exercise of those virtues. He frankly confessed, that many abominable and detestable practices prevailed in the court of Rome; and by this sincere avowal, he gave occasion of much triumph to the Lutherans. This pontiff, also, whose penetration was not equal to his good intentions, was seduced to concur in that league, which Charles and Henry had formed against France;<sup>1</sup> and he thereby augmented the scandal occasioned by the practice of so many preceding popes, who still made their spiritual arms subservient to political purposes.

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The emperor, who knew that Wolsey had received a disappointment in his ambitious hopes, by the election of Adrian, and who dreaded the resentment of that haughty minister, was

<sup>1</sup> Guicciardini, lib. 14.

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solicitous to repair the breach made in their friendship, by this incident. He paid another visit to England; and, besides flattering the vanity of the king and the cardinal, he renewed to Wolsey all the promises which he had made him, of seconding his pretensions to the papal throne. Wolsey, sensible that Adrian's great age and infirmities promised a speedy vacancy, dissembled his resentment, and was willing to hope for a more prosperous issue to the next election. The emperor renewed the treaty, made at Bruges, to which some articles were added; and he agreed to indemnify both the king and Wolsey, for the revenue which they should lose, by a breach with France. The more to ingratiate himself with Henry and the English nation, he gave to Surrey, admiral of England, a commission for being admiral of his dominions; and he himself was installed knight of the garter, at London. After a stay of six weeks in England, he embarked at Southampton, and, in ten days, arrived in Spain, where he soon pacified the tumults which had arisen in his absence.<sup>1</sup>

The king declared war against France; and this measure was founded on so little reason, that he could allege nothing as a ground of quarrel, but Francis's refusal to submit to his arbitration, and his sending Albany into Scotland. This last step had not been taken by the French king, till he was quite assured of Henry's resolution to attack him. Surrey landed some troops at Cherbourg, in Normandy; and after laying waste the country, he sailed to Morlaix, a rich town in Brittany, which he took and plundered. The English merchants had great property in that place, which was no more spared by the soldiers, than the goods of the French. Surrey then left the charge of the fleet to the vice-admiral, and sailed to Calais, where he took the command of the English army, destined for the invasion of France. This army, when joined by forces from the Low Countries, under the command of the count de Buren, amounted, in the whole, to eighteen thousand men.

The French had made it a maxim, in almost all their wars with the English, since the reign of Charles V. never, without great necessity, to hazard a general engagement; and the duke of Vendome, who commanded the French army, now embraced this wise policy. He supplied the towns most exposed, especially Boulogne, Montreuil, Terouane, Hedin, with strong garrisons and plenty of provisions: he himself took post at Abbeville, with some Swiss and French infantry, and a body of cavalry: the count of Guise encamped under Montreuil, with six thousand men. These two bodies were in a situation to join, upon occasion; to throw supply into any town that was threatened; and to harass the English in every movement. Surrey, who was not provided with magazines, first divided his troops, for the convenience of subsisting them; but finding that his quarters were

<sup>1</sup> Petrus de Angleria, epist. 765.

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every moment beaten up by the activity of the French generals, he drew together his forces, and laid siege to Hedin. But neither did he succeed in this enterprise. The garrison made vigorous sallies upon his army: the French forces assaulted him from without: great rains fell: fatigue and bad weather threw the soldiers into dysenteries: and Surrey was obliged to raise the siege, and put his troops into winter quarters, about the end of October. His rear guard was attacked, at Pas, in Artois, and five or six hundred men were cut off: nor could all his efforts make him master of one place within the French frontier.

The allies were more successful in Italy. Lautrec, who commanded the French, lost a great battle, at Bicocca, near Milan; and was obliged to retire, with the remains of his army. This misfortune, which proceeded from Francis's negligence in not supplying Lautrec with money,<sup>1</sup> was followed by the loss of Genoa. The castle of Cremona was the sole fortress, in Italy, which remained in the hands of the French.

War with  
Scotland.

Europe was now in such a situation, and so connected by different alliances and interests, that it was almost impossible for war to be kindled in one part, and not diffuse itself throughout the whole; but of all the leagues among kingdoms, the closest was that which had so long subsisted between France and Scotland; and the English, while at war with the former nation, could not hope to remain long unmolested on the northern frontier. No sooner had Albany arrived in Scotland, than he took measures for kindling a war with England; and he summoned the whole force of the kingdom to meet in the fields of Rosline.<sup>2</sup> He thence conducted the army southwards, into Annandale; and prepared to pass the borders at Solway-Frith. But many of the nobility were disgusted with the regent's administration; and observing that his connexions with Scotland were feeble, in comparison of those which he maintained with France, they murmured that, for the sake of foreign interests, their peace should so often be disturbed, and war, during their king's minority, be wantonly entered into, with a neighbouring nation, so much superior in force and riches. The Gordons, in particular, refused to advance any farther; and Albany, observing a general discontent to prevail, was obliged to conclude a truce with lord Dacres, warden of the English west marches. Soon after he departed for France; and, lest the opposite faction should gather force in his absence, he sent thither, before him, the earl of Angus, husband to the queen dowager.

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Next year, Henry, that he might take advantage of the regent's absence, marched an army into Scotland, under the command of Surrey, who ravaged the Merse and Teviotdale, without opposition, and burned the town of Jedburgh. The Scots had neither king nor regent to conduct them: the two Humes had been put to death: Angus was, in a manner, banished: no nobleman,

<sup>1</sup> Guicciardini, lib. 14. <sup>2</sup> Buchanan, lib. 14. Drummond, Pitscottie



of vigour or authority remained, who was qualified to assume the government; and the English monarch, who knew the distressed situation of the country, determined to push them to extremity, in hopes of engaging them, by the sense of their present weakness, to make a solemn renunciation of the French alliance, and to embrace that of England.<sup>1</sup> He even gave them hopes of contracting a marriage between the Lady Mary, heiress of England, and their young monarch; an expedient which would for ever unite the two kingdoms.<sup>2</sup> And the queen dowager, with her whole party, recommended every where the advantages of this alliance, and of a confederacy with Henry. They said, that the interest of Scotland had too long been sacrificed to those of the French nation, who, whenever they found themselves reduced to difficulties, called for the assistance of their allies; but were ready to abandon them, as soon as they found their advantage in making peace with England: that where a small state entered into so close a confederacy with a greater, it must always expect this treatment, as a consequence of the unequal alliance; but there were peculiar circumstances in the situation of the kingdoms, which, in the present case, rendered it inevitable: that France was so distant and so divided from them by sea, that she scarcely could, by any means, and never could, in time, send succours to the Scots, sufficient to protect them against ravages from the neighbouring kingdom; that nature had, in a manner, formed an alliance between the two British nations; having enclosed them in the same island; given them the same manners, language, laws, and form of government; and prepared every thing for an intimate union between them; and that, if national antipathies were abolished, which would soon be the effect of peace, these two kingdoms, secured by the ocean, and by their domestic force, could set at defiance all foreign enemies, and remain for ever safe and unmolested.

The partisans of the French alliance, on the other hand, said, that the very reasons which were urged in favour of a league with England, the vicinity of the kingdom, and its superior force, were the real causes why a sincere and durable confederacy could never be formed with that hostile nation: that, among neighbouring states, occasions of quarrel were frequent; and the more powerful would be sure to seize every frivolous pretence for oppressing the weaker, and reducing it to subjection; that, as the near neighbourhood of France and England had kindled a war almost perpetual between them, it was the interest of the Scots, if they wished to maintain their independence, to preserve their league with the former kingdom, which balanced the force of the latter: that, if they deserted that old and salutary alliance, on which their importance in Europe chiefly depended, their ancient enemies, stimulated both by interest and by passion, would soon invade them, with superior force, and bereave

<sup>1</sup> Buchanan, lib. 14. Herbert. <sup>2</sup> Le Grand, vol. iii. p. 39.

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them of all their liberties : or, if they delayed the attack, the insidious peace, by making the Scots forget the use of arms, would only prepare the way for a slavery more certain and more irretrievable.<sup>1</sup>

The arguments employed by the French party, being seconded by the natural prejudices of the people, seemed most prevalent : and when the regent himself, who had been long detained beyond his appointed time, by the danger from the English fleet, at last appeared among them, he was able to throw the balance entirely on that side. By authority of the convention of states, he assembled an army, with a view of avenging the ravages committed by the English, in the beginning of the campaign ; and he led them southwards, towards the borders. But when they were passing the Tweed, at the bridge of Melross, the English party raised again such opposition, that Albany thought proper to make a retreat. He marched downwards, along the banks of the Tweed, keeping that river on his right ; and fixed his camp opposite to Werk-castle, which Surrey had lately repaired. He sent over some troops to besiege this fortress, who made a breach in it, and stormed some of the out-works : but the regent, hearing of the approach of an English army, and discouraged by the advanced season, thought proper to disband his forces, and retire to Edinburgh. Soon after, he went over to France, and never again returned to Scotland. The Scottish nation, agitated by their domestic factions, were not, during several years, in a condition to give any more disturbance to England ; and Henry had full leisure to prosecute his designs on the continent.

The reason why the war against France proceeded so slowly, on the part of England, was the want of money. All the treasures of Henry VII. were long ago dissipated ; the king's habits of expense still remained, and his revenues were unequal, even to the ordinary charge of government, much more to his military enterprises. He had, last year, caused a general survey to be made of the kingdom ; the numbers of men, their years, profession, stock, revenue ;<sup>2</sup> and expressed great satisfaction, on finding the nation so opulent. He then issued privy seals, to the most wealthy, demanding loans of particular sums : this act of power, though somewhat irregular and tyrannical, had been formerly practised, by kings of England ; and the people were now familiarized to it. But Henry, this year, carried his authority much farther. He published an edict, for a general tax upon his subjects, which he still called a loan ; and he levied five shillings in the pound upon the clergy, two shillings upon the laity. This pretended loan, as being more regular, was really more dangerous to the liberties of the people ; and was a precedent for the king's imposing taxes, without consent of parliament.

15th April  
A parliament.

Henry, soon after, summoned a parliament, together, with a convocation ; and found neither of them in a disposition to com-

<sup>1</sup> Buchanan, lib. 14. <sup>2</sup> Herbert. Stowe, p. 514.

plain of the infringement of their privileges. It was only doubted how far they would carry their liberality to the king. Wolsey, who had undertaken the management of the affairs, began with the convocation, in hopes that their example would influence the parliament to grant a large supply. He demanded a moiety of the ecclesiastical revenues, to be levied in five years, or two shillings in the pound, during that time; and though he met with opposition, he reprimanded the refractory members in such severe terms, that his request was, at last, complied with. The cardinal, afterwards, attended by several of the nobility and prelates, came to the house of commons; and, in a long and elaborate speech, laid before them the public necessities, the danger of an invasion from Scotland, the affronts received from France, the league in which the king was engaged, with the pope and the emperor; and he demanded a grant of eight hundred thousand pounds, divided into four yearly payments; a sum computed, from the late survey or valuation, to be equal to four shillings in the pound of one year's revenue, or one shilling in the pound yearly, according to the division proposed.<sup>1</sup> So large a grant was unusual, from the commons; and though the cardinal's demand was seconded by Sir Thomas More, the speaker, and several other members attached to the court, the house could not be prevailed with to comply.<sup>2</sup> They only voted two shillings in the pound, on all who enjoyed twenty pounds a year and upwards; one shilling on all who possessed between twenty pounds and forty pounds a year; and on the other subjects, above sixteen years of age, a groat a head. This last sum was divided into two yearly payments; the former into four; and was not, therefore, at the utmost, above six pence in the pound. The grant of the commons, was but the moiety of the sum demanded; and the cardinal, therefore, much mortified with the disappointment, came again to the house, and desired to reason with such as refused to comply with the king's request. He was told, that it was a rule of the house, never to reason but among themselves; and his desire was rejected. The commons, however, enlarged a little their former grant, and voted an imposition of three shillings in the pound, on all possessed of fifty pounds a year and upwards.\* The proceedings of this house of commons evidently discover the humour of the times: they were extremely tenacious of their money, and refused a demand of the crown, which was far from being unreasonable; but they allowed an encroachment on national privileges to pass uncensured, though its direct tendency was to subvert, entirely, the liberties of the people. The king was so dissatisfied with this saving disposition of the commons, that, as he had not called a parliament

<sup>1</sup> This survey, or valuation, is liable to much suspicion, as fixing the rents a great deal too high; unless the sum comprehend the revenues of all kinds, industry as well as land and money. <sup>2</sup> Herbert, Stowe, p. 518. Parliamentary History. Strype, vol. i. p. 49, 50. \* See note [Q] at the end of the volume.

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during seven years before, he allowed seven more to elapse, before he summoned another : and, on pretence of necessity, he levied, in one year, from all who were worth forty pounds, what the parliament had granted him payable in four years ;<sup>1</sup> a new invasion of national privileges. These irregularities were commonly ascribed to the cardinal's counsels, who, trusting to the protection afforded him by his ecclesiastical character, was the less scrupulous in his encroachments on the civil rights of the nation.

That ambitious prelate received, this year, a new disappointment in his aspiring views. The pope, Adrian VI. died ; and Clement VII. of the family of Medicis, was elected in his place, by the concurrence of the imperial party. Wolsey could now perceive the insincerity of the emperor, and he concluded that that prince would never second his pretensions to the papal chair. As he highly resented this injury, he began, thenceforth, to estrange himself from the imperial court, and to pave the way an union between his master and the French king. Meanwhile, he concealed his disgust ; and after congratulating the new pope on his promotion, applied for a continuation of the legatine powers, which the two former popes had conferred upon him. Clement, knowing the importance of gaining his friendship, granted him a commission for life ; and, by this unusual concession, he, in a manner, transferred to him the whole papal authority in England. In some particulars, Wolsey made a good use of this extensive power. He erected two colleges, one at Oxford, another at Ipswich, the place of his nativity : he sought, all over Europe, for learned men, to supply the chairs of these colleges : and in order to bestow endowments on them, he suppressed some smaller monasteries, and distributed the monks into other convents. The execution of this project became the less difficult for him, because the Romish church began to perceive that she overabounded in monks, and that she wanted some supply of learning, in order to oppose the inquisitive, or rather disputative humour of the reformers.

The confederacy against France, seemed more formidable than ever, on the opening of the campaign.<sup>2</sup> Adrian, before his death, had renewed the league with Charles and Henry. The Venetians had been induced to desert the French alliance, and to form engagements for securing Francis Sforza, brother to Maximilian, in possession of the Milanese. The Florentines, the dukes of Ferrara and Mantua, and all the powers of Italy, combined in the same measure. The emperor, in person, menaced France with a powerful invasion, on the side of Guienne : the forces of England and the Netherlands hovered over Picardy : a numerous body of Germans were preparing to ravage Burgundy : but all these perils, from foreign enemies, were less threatening than a domestic conspiracy, which had been formed,

<sup>1</sup> Speed. Hall. Herbert. <sup>2</sup> Guicciardini, lib. 14.



and which was now come to full maturity, against the French monarch.

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Charles, duke of Bourbon, constable of France, was a prince of the most shining merit; and besides distinguishing himself in many military enterprises, he was adorned with every accomplishment, which became a person of his high station. His virtues, embellished with the graces of youth, had made such impression on Louise, of Savoy, Francis's mother, that, without regard to the inequality of their years, she made him proposals of marriage; and, meeting with a repulse, she formed schemes of unrelenting vengeance against him. She was a woman, false, deceitful, vindictive, malicious; but, unhappily for France, had, by her capacity, which was considerable, acquired an absolute ascendancy over her son. By her instigation, Francis put many affronts on the constable, which it was difficult for a gallant spirit to endure; and, at last, he permitted Louise to prosecute a lawsuit against him, by which, on the most frivolous pretences, he was deprived of his ample possessions; and inevitable ruin was brought upon him.

Bourbon, provoked at all these indignities, and thinking that, if any injuries could justify a man in rebellion against his prince and country, he must stand acquitted, had entered into a secret correspondence with the emperor and the king of England.<sup>1</sup> Francis, pertinacious in his purpose of recovering the Milanese, had intended to lead his army, in person, into Italy, and Bourbon, who feigned sickness, in order to have a pretence for staying behind, purposed, as soon as the king should have passed the Alps, to raise an insurrection among his numerous vassals, by whom he was extremely beloved, and to introduce foreign enemies into the heart of the kingdom. Francis got intimation of his design; but, as he was not expeditious enough in securing so dangerous a foe, the constable made his escape;<sup>2</sup> and, entering into the emperor's service, employed all the force of his enterprising spirit, and his great talents for war, to the prejudice of his native country.

The king of England, desirous that Francis should undertake his Italian expedition, did not openly threaten Picardy, this year, with an invasion; and it was late before the duke of Suffolk, who commanded the English forces, passed over to Calais. He was attended by the lords Montacute, Herbert, Ferrars, Morney, 24th Aug. Sandys, Berkley, Powis, and many other noblemen and gentlemen.<sup>3</sup> The English army, reinforced by some troops drawn from the garrison of Calais, amounted to about twelve thousand men; and having joined an equal number of Flemings, under the count de Buren, they prepared for an invasion of France. The siege of Boulogne was first proposed; but that enterprise appearing difficult, it was thought more advisable to leave this town behind them. The frontier of Picardy was very

<sup>1</sup> Mémoires du Bellai, liv. 2. <sup>2</sup> Belcarius, lib. 17. <sup>3</sup> Herbert

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ill provided with troops; the only defence of that province was, the activity of the French officers, who infested the allied army in their march, and threw garrisons, with great expedition, into every town which was threatened by them. After coasting the Somme, and passing Hedin, Montreuil, Dourlens, the English and Flemings presented themselves before Bray, a place of small force, which commanded a bridge over that river. Here they were resolved to pass, and, if possible, to take up winter quarters in France; but Crequi threw himself into the town, and seemed resolute to defend it. The allies attacked him, with vigour and success; and when he retreated over the bridge, they pursued him so hotly, that they allowed him not time to break it down, but passed it along with him, and totally routed his army. They next advanced to Montdidier, which they besieged, and took by capitulation. Meeting with no opposition, they proceeded to the river Oise, within eleven leagues of Paris, and threw that city into great consternation; till the duke of Vendome hastened, with some forces, to its relief. The confederates, afraid of being surrounded, and of being reduced to extremities, during so advanced a season, thought proper to retreat. Montdidier was abandoned: and the English and Flemings, without effecting any thing, retired into their respective countries.

France defended herself from the other invasions, with equal facility and equal good fortune. Twelve thousand Lansquenets broke into Burgundy, under the command of the count of Furstenberg. The count of Guise, who defended that frontier, had nothing to oppose to them but some militia, and about nine hundred heavy armed cavalry. He threw the militia into the garrison towns; and, with his cavalry, he kept the field, and so harassed the Germans, that they were glad to make their retreat into Lorraine. Guise attacked them, as they passed the Meuse, put them into disorder, and cut off the greater part of their rear.

The emperor made great preparations, on the side of Navarre; and though that frontier was well guarded, by nature, it seemed now exposed to danger, from the powerful invasion which threatened it. Charles besieged Fontarabia, which, a few years before, had fallen into Francis's hands; and when he had drawn thither Lautrec, the French general, he of a sudden raised the siege, and sat down before Bayonne. Lautrec, aware of that stratagem, made a sudden march, and threw himself into Bayonne, which he defended with such vigour and courage, that the Spaniards were constrained to raise the siege. The emperor would have been totally unfortunate, on this side, had he not turned back upon Fontarabia, and, contrary to the advice of all his generals, sitten down, in the winter season, before that city, well fortified and strongly garrisoned. The cowardice, or misconduct of the governor, saved him from the shame of a new disappointment. The place was surrendered, in a few days; and the emperor, having finished this enterprize, put his troops into winter quarters.

So obstinate was Francis, in prosecuting his Italian expedition, that, notwithstanding these numerous invasions, with which his kingdom was menaced, on every side, he had determined to lead, in person, a powerful army to the conquest of Milan. The intelligence of Bourbon's conspiracy and escape, stopped him at Lyons; and, fearing some insurrection in the kingdom, from the intrigues of a man so powerful and so much beloved, he thought it prudent to remain in France, and to send forward his army, under the command of admiral Bonnivet. The dutchy of Milan had been purposely left in a condition somewhat defenceless, with the view of alluring Francis to attack it, and thereby facilitating the enterprises of Bourbon; and no sooner had Bonnivet passed the Tesin, than the army of the league, and even Prosper Colonna, who commanded it, a prudent general, were in the utmost confusion. It is agreed, that if Bonnivet had immediately advanced to Milan, that great city, on which the whole dutchy depends, would have opened its gates, without resistance. But, as he wasted his time in frivolous enterprises, Colonna had opportunity to reinforce the garrison, and to put the place in a posture of defence. Bonnivet was now obliged to attempt reducing the city, by blockade and famine; and he took possession of all the posts which commanded the passages to it. But the army of the league, meanwhile, was not inactive; and they so straitened and harassed the quarters of the French, that it seemed more likely the latter should themselves perish by famine, than reduce the city to that extremity. Sickness, and fatigue, and want, had wasted them, to such a degree, that they were ready to raise the blockade; and their only hopes consisted in a great body of Swiss, which was levied for the service of the French king, and whose arrival was every day expected. But these mountaineers no sooner came within sight of the French camp, than they stopped, from a sudden caprice and resentment; and, instead of joining Bonnivet, they sent orders to a great body of their countrymen, who then served under him, immediately to begin their march, and to return home, in their company.<sup>1</sup> After this desertion of the Swiss, Bonnivet had no other choice, but that of making his retreat, as fast as possible, into France.

The French, being thus expelled Italy, the pope, the Venetians, the Florentines, were satisfied with the advantage obtained over them, and were resolved to prosecute their victory no farther. All these powers, especially Clement, had entertained a violent jealousy of the emperor's ambition; and their suspicions were extremely augmented, when they saw him refuse the investiture of Milan, a fief of the empire, to Francis Sforza, whose title he had acknowledged, and whose defence he had embraced.<sup>2</sup> They all concluded, that he intended to put himself in possession of that important dutchy, and reduce Italy to

<sup>1</sup> Guicciardini, lib. 15. Mémoires du Bellai, liv. 2. <sup>2</sup> Guicciardini, lib. 15.

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subjection: Clement, in particular, actuated by this jealousy, proceeded so far in opposition to the emperor, that he sent orders to his nuncio, at London, to mediate a reconciliation between France and England. But affairs were not yet fully ripe for this change. Wolsey, disgusted with the emperor, but still more actuated by vainglory, was determined that he himself should have the renown of bringing about that great alteration; and he engaged the king to reject the pope's mediation. A new treaty was even concluded between Henry and Charles, for the invasion of France. Charles stipulated to supply the duke of Bourbon with a powerful army, in order to conquer Provence and Dauphiny: Henry agreed to pay him a hundred thousand crowns, for the first month; after which, he might either choose to continue the same monthly payments, or invade Picardy with a powerful army. Bourbon was to possess these provinces, with the title of king; but to hold them in fee of Henry, as king of France. The dutchy of Burgundy was to be given to Charles: the rest of the kingdom to Henry.

This chimerical partition, immediately failed of execution, in the article which was most easily performed: Bourbon refused to acknowledge Henry as king of France. His enterprise, however, against Provence, still took place. A numerous army of imperialists invaded that country, under his command, and that of the marquis of Pescara. They laid siege to Marseilles, which, being weakly garrisoned, they expected to reduce in a little time: but the citizens defended themselves with such valour and obstinancy, that Bourbon and Pescara, who heard of the French king's approach, with a numerous army, found themselves under a necessity of raising the siege; and they led their forces, weakened, baffled, and disheartened, into Italy.

Francis might now have enjoyed, in safety, the glory of repulsing all his enemies, in every attempt which they had hitherto made for invading his kingdom: but as he received intelligence that the king of England, discouraged by his former fruitless enterprises, and disgusted with the emperor, was making no preparations for any attempt on Picardy, his ancient ardour seized him for the conquest of Milan; and notwithstanding the advanced season, he was immediately determined, contrary to the advice of his wisest counsellors, to lead his army into Italy.

The king  
of France  
invades  
Italy.

He passed the Alps, at Mount Cenis, and no sooner appeared in Piedmont, than he threw the whole Milanese into consternation. The forces of the emperor and Sforza, retired to Lodi; and had Francis been so fortunate as to pursue them, they had abandoned that place, and had been totally dispersed:<sup>1</sup> but his ill fate led him to besiege Pavia, a town of considerable strength, well garrisoned, and defended by Leyva, one of the bravest officers in the Spanish service. Every attempt which the French king made, to gain that important place, proved fruitless. He

<sup>1</sup> Guicciardini, lib. 15. Du Bellai, liv. 2.



battered the walls, and made breaches; but, by the vigilance of Leyva, new intrenchments were instantly thrown up behind the breaches: he attempted to divert the course of the T'esin, which ran by one side of the city, and defended it; but an inundation of the river destroyed, in one night, all the mounds which the soldiers, during a long time, and with infinite labour, had been erecting. Fatigue, and the bad season, (for it was the depth of winter) had wasted the French army. The imperial generals, meanwhile, were not inactive. Pescara and Lannoy, viceroy of Naples, assembled forces from all quarters. Bourbon, having pawned his jewels, went into Germany, and, with the money, aided by his personal interest, levied a body of twelve thousand Lansquenets, with which he joined the imperialists. This whole army advanced, to raise the siege of Pavia; and the danger to the French became, every day, more imminent.

The state of Europe was such, during that age, that, partly from want of commerce and industry every where, except in Italy and the Low Countries, partly from the extensive privileges still possessed by the people, in all the great monarchies, and their frugal maxims in granting money, the revenues of the princes were extremely narrow, and even the small armies, which they kept on foot, could not be regularly paid by them. The imperial forces, commanded by Bourbon, Pescara and Lannoy, exceeded not twenty thousand men; they were the only body of troops maintained by the emperor (for he had not been able to levy any army for the invasion of France, either on the side of Spain or Flanders). Yet, so poor was that mighty monarch, that he could transmit no money for the payment of this army; and it was chiefly the hopes of sharing the plunder of the French camp, which had made them advance, and kept them to their standards. Had Francis raised the siege before their approach, and retired to Milan, they must immediately have disbanded, and he had obtained a complete victory, without danger or bloodshed. But it was the character of this monarch to become obstinate, in proportion to the difficulties which he encountered; and, having once said that he would take Pavia, or perish before it, he was resolved rather to endure the utmost extremities than depart from this resolution.

The imperial generals, after cannonading the French camp, for several days, at last made a general assault, and broke into the intrenchment. Leyva sallied from the town, and increased the confusion among the besiegers. The Swiss infantry, contrary to their usual practice, behaved in a dastardly manner, and deserted their post. Francis's forces were put to the rout; and he himself, surrounded by his enemies, after fighting with heroic valour, and killing seven men with his own hand, was, at last, obliged to surrender himself prisoner. Almost the whole army, full of nobility and brave officers, either perished by the sword, or were drowned in the river. The few who escaped with their lives fell into the hands of the enemy.

24th Feb.  
Battle of  
Pavia, and  
captivity  
of Francis.

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The emperor received this news by Pennalosa, who passed through France, by means of a safe conduct, granted him by the captive king. The moderation which he displayed, on this occasion, had it been sincere, would have done him honour. Instead of rejoicing, he expressed sympathy with Francis's ill fortune, and discovered his sense of those calamities to which the greatest monarchs are exposed.<sup>1</sup> He refused the city of Madrid permission to make any public expressions of triumph, and said, that he reserved all his exultation till he should be able to obtain some victory over the infidels. He sent orders to his frontier garrisons to commit no hostilities upon France. He spoke of concluding immediately a peace, on reasonable terms. But all this seeming moderation was only hypocrisy, so much the more dangerous, as it was profound; and he was wholly occupied in forming schemes how, from this great incident, he might draw the utmost advantage, and gratify that exorbitant ambition, by which, in all his actions, he was ever governed.

The same Pennalosa, in passing through France, carried also a letter from Francis to his mother, whom he had left regent, and who then resided at Lyons. It contained only these few words—*Madam, all is lost, except our honour.* The princess was struck with the greatness of the calamity. She saw the kingdom without a sovereign, without an army, without generals, without money, surrounded, on every side, by implacable and victorious enemies; and her chief resource, in her present distresses, were the hopes she entertained of peace, and even of assistance from the king of England.

Had the king entered into the war against France from any concerted political views, it is evident that the victory of Pavia, and the captivity of Francis, were the most fortunate incidents that could have befallen him, and the only ones that could render his schemes effectual. While the war was carried on, in the former feeble manner, without any decisive advantage, he might have been able to possess himself of some frontier town, or, perhaps, of a small territory, of which he could not have kept possession, without expending much more than its value. By some signal calamity, alone, which annihilated the power of France, could he hope to acquire the dominion of considerable provinces, or dismember that great monarchy, so affectionate to its own government and its own sovereigns. But, as it is probable that Henry had never, before, carried his reflections so far, he was startled at this important event, and became sensible of his own danger, as well as that of all Europe, from the loss of a proper counterpoise to the power of Charles. Instead of taking advantage, therefore, of the distressed condition of Francis, he was determined to lend him assistance in his present calamities; and, as the glory of generosity, in raising a fallen enemy, concurred with his political interest, he hesitated the less in embracing these new measures.

Henry embraces the alliance of France.

<sup>1</sup> Vera, Hist. de Carl. V

Some disgusts, also, had previously taken place, between Charles and Henry, and still more between Charles and Wolsey; and that powerful minister waited only for a favourable opportunity of revenging the disappointments which he had met with. The behaviour of Charles, immediately after the victory of Pavia, gave him occasion to revive the king's jealousy and suspicions. The emperor so ill supported the appearance of moderation, which he at first assumed, that he had already changed his usual style to Henry; and, instead of writing to him with his own hand, and subscribing himself *your affectionate son and cousin*, he dictated his letters to a secretary, and simply subscribed himself *Charles*.<sup>1</sup> Wolsey, also, perceived a diminution in the caresses and professions, with which the emperor's letters to him were formerly loaded; and this last imprudence, proceeding from the intoxication of success, was probably more dangerous to Charles's interests than the other.

Henry, though immediately determined to embrace new measures, was careful to save appearances in the change; and he caused rejoicings to be every where made, on account of the victory of Pavia, and the captivity of Francis. He publicly dismissed a French envoy, whom he had formerly allowed, notwithstanding the war, to reside at London:<sup>2</sup> but, upon the regent of France's submissive applications to him, he again opened a correspondence with her; and, besides assuring her of his friendship and protection, he exacted a promise, that she never would consent to the dismembering of any province from the monarchy, for her son's ransom. With the emperor, however, he put on the appearance of vigour and enterprise; and, in order to have a pretence for breaking with him, he despatched Tonsal, bishop of London, to Madrid, with proposals for a powerful invasion of France. He required that Charles should immediately enter Guienne, at the head of a great army, in order to put him in possession of that province: and he demanded the payment of large sums of money, which that prince had borrowed from him, in his last visit to London. He knew that the emperor was in no condition of fulfilling either of these demands; and that he had as little inclination to make him master of such considerable territories upon the frontiers of Spain.

Tonsal, likewise, after his arrival at Madrid, informed his master, that Charles, on his part, urged several complaints against England; and in particular, was displeased with Henry, because, last year, he had neither continued his monthly payments to Bourbon, nor invaded Picardy, according to his stipulations. Tonsal added, that instead of expressing an intention to espouse Mary, when she should be of age, the emperor had hearkened to proposals for marrying his niece, Isabella, princess of Portugal: and that he had entered into a separate treaty with Francis, and seemed determined to reap alone all the advantages of the success with which fortune had crowned his arms.

<sup>1</sup> Guicciardini, lib. 16. <sup>2</sup> Du Bellai, liv. 3. Stowe, p. 221. Baker, p. 273.

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30th Aug.

The king, influenced by all these motives, concluded, at Moore, his alliance with the regent of France, and engaged to procure her son his liberty, on reasonable conditions:<sup>1</sup> the regent, also, in another treaty, acknowledged the kingdom Henry's debtor, for one million eight hundred thousand crowns, to be discharged in half yearly payments of fifty thousand crowns: after which Henry was to receive, during life, a yearly pension of a hundred thousand. A large present of a hundred thousand crowns, was also made to Wolsey, for his good offices, but covered under the pretence of arrears due on the pension granted him, for relinquishing the administration of Tournay.

Discon-  
tents of  
the Eng-  
lish.

Meanwhile, Henry, foreseeing that this treaty with France might involve him in a war with the emperor, was also determined to fill his treasury by impositions upon his own subjects; and, as the parliament had discovered some reluctance in complying with his demands, he followed, as is believed, the counsel of Wolsey, and resolved to make use of his prerogative alone for that purpose. He issued commissions to all the counties of England, for levying four shillings in the pound upon the clergy, three shillings and four pence upon the laity; and so uncontrollable did he deem his authority, that he took no care to cover, as formerly, this arbitrary exaction, even under the slender pretence of a loan. But he soon found, that he had presumed too far on the passive submission of his subjects. The people, displeased with an exaction, beyond what was usually levied in those days, and farther disgusted with the illegal method of imposing it, broke out in murmurs, complaints, opposition to the commissioners; and their refractory disposition threatened a general insurrection. Henry had the prudence to stop short in that dangerous path, into which he had entered. He sent letters to all the counties, declaring that he meant no force, by this last imposition, and that he would take nothing from his subjects, but by way of *benevolence*. He flattered himself, that his condescension in employing that disguise, would satisfy the people, and that no one would dare to render himself obnoxious to royal authority, by refusing any payment required of him in this manner. But the spirit of opposition, once roused, could not so easily be quieted at pleasure. A lawyer, in the city, objecting the statute of Richard III. by which benevolences were for ever abolished, it was replied, by the court, that Richard, being an usurper, and his parliament a factious assembly, his statutes could not bind a lawful and *absolute* monarch, who held his crown by hereditary right, and needed not to court the favour of a licentious populace.<sup>2</sup> The judges even went so far as to affirm positively, that the king might exact, by commission, any sum he pleased; and the privy council gave a ready assent to this decree, which annihilated the most valuable privilege of the people, and rendered all their other privileges precarious. Armed with such formidable authority, of

<sup>1</sup> Du Tillet, Recueil des Traités de Leonard, tom. 2. Herbert. <sup>2</sup> Herbert. Hall.



royal prerogative and a pretence of law, Wolsey sent for the mayor of London, and desired to know what he was willing to give for the supply of his majesty's necessities. The mayor seemed desirous, before he should declare himself, to consult the common council: but the cardinal required, that he, and all the aldermen, should separately confer with himself about the benevolence; and he eluded, by that means, the danger of a formed opposition. Matters, however, went not so smoothly in the country. An insurrection was begun, in some places; but, as the people were not headed by any considerable person, it was easy for the duke of Suffolk, and the earl of Surrey, now duke of Norfolk, by employing persuasion and authority, to induce the ringleaders to lay down their arms, and surrender themselves prisoners. The king, finding it dangerous to punish criminals, engaged in so popular a cause, was determined, notwithstanding his violent, imperious temper, to grant them a general pardon; and he prudently imputed their guilt, not to their want of loyalty or affection, but to their poverty. The offenders were carried before the star-chamber, where, after a severe charge, brought against them by the king's council, the cardinal said, "That, notwithstanding their grievous offence, the king, in consideration of their necessities, had granted them his gracious pardon, upon condition that they would find sureties for their future good behaviour." But they replying they had no sureties, the cardinal first, and after him the duke of Norfolk, said, that they would be bound for them. Upon which they were dismissed.<sup>1</sup>

These arbitrary impositions being imputed, though on what grounds is unknown, to the councils of the cardinal, increased the general odium under which he laboured; and the clemency of the pardon being ascribed to the king, was considered as an atonement, on his part, for the illegality of the measure. But Wolsey, supported both by royal and papal authority, proceeded, without scruple, to violate all ecclesiastical privileges, which, during that age, were much more sacred than civil; and, having once prevailed, in that unusual attempt, of suppressing some monasteries, he kept all the rest in awe, and exercised over them an arbitrary jurisdiction. By his commission as legate, he was empowered to visit them, and reform them, and chastise their irregularities; and he employed his usual agent, Allen, in the exercise of this authority. The religious houses were obliged to compound for their guilt, real or pretended, by paying large sums to the cardinal or his deputy; and this oppression was carried so far, that it reached, at last, the king's ears, which were not commonly open to complaints against his favourite. Wolsey had built a splendid palace, at Hampton-court, which he probably intended, as well as that of York-place in Westminster, for his own residence; but, fearing the increase of envy, on account of this magnificence, and desirous to appease the king, he made

<sup>1</sup> Herbert. Hall. Stowe, p. 525. Holingshed, p. 891.

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him a present of the building, and told him, that, from the first, he had erected it for his use.

The absolute authority, possessed by the king, rendered his domestic government, both over his people and his ministers, easy and expeditious: the conduct of foreign affairs, alone, required effort and application: and they were now brought to such a situation, that it was no longer safe for England to remain entirely neutral. The feigned moderation of the emperor was of short duration; and it was soon obvious, to all the world, that his great dominions, far from gratifying his ambition, were only regarded as the means of acquiring an empire more extensive. The terms which he demanded of his prisoner, were such as must for ever have annihilated the power of France, and destroyed the balance of Europe. These terms were proposed to Francis, soon after the battle of Pavia; while he was detained in Pizzichitone; and as he had hitherto trusted somewhat to the emperor's generosity, the disappointment excited in his breast the most lively indignation. He said, that he would rather live and die a prisoner, than agree to dismember his kingdom; and that, even were he so base as to submit to such conditions, his subjects never would permit him to carry them into execution.

Francis removed to Madrid.

Francis was encouraged to persist in demanding more moderate terms, by the favourable accounts which he heard of Henry's dispositions towards him, and of the alarm which had seized all the chief powers in Italy, upon his defeat and captivity. He was uneasy, however, to be so far distant from the emperor, with whom he must treat; and he expressed his desire (which was complied with) to be removed to Madrid, in hopes that a personal interview would operate in his favour, and that Charles, if not influenced by his ministers, might be found possessed of the same frankness of disposition, by which he himself was distinguished. He was soon convinced of his mistake. Partly from want of exercise, partly from reflections on his present melancholy situation, he fell into a languishing illness; which begat apprehensions in Charles, lest the death of his captive should bereave him of all those advantages, which he purposed to extort from him. He then paid him a visit, in the castle of Madrid; and, as he approached the bed, in which Francis lay, the sick monarch called to him, "You come, sir, to visit your prisoner." "No," replied the emperor, "I come to visit my brother, and my friend, who shall soon obtain his liberty." He soothed his afflictions, with many speeches of a like nature, which had so good an effect, that the king daily recovered;<sup>1</sup> and thenceforth employed himself in concerting, with the ministers of the emperor, the terms of his treaty.

1526.  
14th Jan.

At last, the emperor, dreading a general combination against him, was willing to abate somewhat of his rigour; and the treaty of Madrid was signed, by which it was hoped an end would

<sup>1</sup> Herbert. De Vera. Sandoval.

be finally put to the differences between these great monarchs. The principal condition was, the restoring of Francis's liberty, and the delivery of his two eldest sons, as hostages, to the emperor, for the cession of Burgundy. If any difficulty should afterwards occur, in the execution of this last article, from the opposition of the states, either of France, or of that province, Francis stipulated, that in six weeks time he should return to his prison, and remain there till the full performance of the treaty. There were many other articles in this famous convention, all of them extremely severe upon the captive monarch; and Charles discovered evidently his intention of reducing Italy, as well as France, to subjection and dependence.

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Many of Charles's ministers foresaw, that Francis, how solemn soever the oaths, promises, and protestations exacted of him, never would execute a treaty so disadvantageous, or rather ruinous and destructive, to himself, his posterity, and his country. By putting Burgundy, they thought, into the emperor's hands, he gave his powerful enemy an entrance into the heart of the kingdom: by sacrificing his allies in Italy, he deprived himself of foreign assistance; and, arming his oppressor with the whole force and wealth of that opulent country, rendered him absolutely irresistible. To these great views of interest, were added the motives, no less cogent, of passion and resentment; while Francis, a prince, who piqued himself on generosity, reflected on the rigour with which he had been treated, during his captivity, and the severe terms which had been exacted of him, for the recovery of his liberty. It was also foreseen, that the emulation and rivalry, which had so long subsisted between these two monarchs, would make him feel the strongest reluctance, on yielding the superiority to an antagonist, who, by the whole tenor of his conduct, he would be apt to think, had shown himself so little worthy of that advantage, which fortune, and fortune alone, had put into his hands. His ministers, his friends, his subjects, his allies, would be sure, with one voice, to inculcate into him, that the first object of a prince, was the preservation of his people, and that the laws of honour, which, with a private man, ought to be absolutely supreme, and superior to all interests, were, with a sovereign, subordinate to the great duty of ensuring the safety of his country. Nor could it be imagined, that Francis would be so romantic, in his principles, as not to hearken to a casuistry, which was so plausible in itself, and which so much flattered all the passions, by which, either as a prince, or a man, he was strongly actuated.

Francis, on entering his own dominions, delivered his two eldest sons, as hostages, into the hands of the Spaniards. He mounted a Turkish horse, and immediately putting him to the gallop, he waved his hand, and cried, aloud, several times, *I am yet a king*. He soon reached Bayonne, where he was joyfully received by the regent, and his whole court. He immediately

March 18.  
Francis recovers his liberty.

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wrote to Henry, acknowledging that, to his good offices alone, he owed his liberty, and protesting that he should be entirely governed by his counsels, in all transactions with the emperor. When the Spanish envoy demanded his ratification of the treaty of Madrid, now that he had fully recovered his liberty, he declined the proposal, under colour that it was previously necessary to assemble the states, both of France and of Burgundy, and to obtain their consent. The states of Burgundy soon met; and declaring against the clause, which contained an engagement for alienating their province, they expressed their resolution of opposing, even by force of arms, the execution of so ruinous and unjust an article. The imperial minister then required, that Francis, in conformity to the treaty of Madrid, should now return to his prison; but the French monarch, instead of complying, made public the treaty, which, a little before he had secretly concluded at Cognac, against the ambitious schemes and usurpations of the emperor.<sup>1</sup>

The pope, the Venetians, and other Italian states, who were deeply interested in these events, had been held in the most anxious suspense, with regard to the resolutions which Francis should take, after the recovery of his liberty; and Clement, in particular, who suspected that this prince would never execute a treaty, so hurtful to his interests, and even destructive of his independency, had very frankly offered him a dispensation from all his oaths and engagements. Francis remained not in suspense, but entered immediately into the confederacy proposed to him. It was stipulated by that king, the pope, the Venetians, the Swiss, the Florentines, and the duke of Milan, among other articles, that they would oblige the emperor to deliver up the two young princes of France, on receiving a reasonable sum of money; and to restore Milan to Sforza, without farther condition or incumbrance. The king of England was invited to accede, not only as a contracting party, but as protector of the *holy league*, so it was called: and if Naples should be conquered from the emperor, in prosecution of this confederacy, it was agreed that Henry should enjoy a principality in that kingdom, of the yearly revenue of thirty thousand ducats: and that cardinal Wolsey, in consideration of the services which he had rendered to Christendom, should also, in such an event, be put in possession of a revenue of ten thousand ducats.

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Francis was desirous, that the appearance of this great confederacy should engage the emperor to relax, somewhat, in the extreme rigour of the treaty of Madrid; and while he entertained these hopes, he was the more remiss in his warlike preparations; nor did he send, in due time, reinforcement to his allies, in Italy. The duke of Bourbon had got possession of the whole Milanese, of which the emperor intended to grant him the investiture; and having levied a considerable army in Germany, he became formidable to all the Italian potentates; and

<sup>1</sup> Guicciardini, lib. 17.



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not the less so, because Charles, destitute, as usual, of money, had not been able to remit any pay to the forces. The general was extremely beloved by his troops: and in order to prevent those mutinies, which were ready to break out every moment, and which their affection alone, for him, had hitherto restrained, he led them to Rome, and promised to enrich them by the spoils of that opulent city. He was himself killed, as he was 6th May. planting a scaling ladder against the walls; but his soldiers, rather enraged than discouraged by his death, mounted to the assault with the utmost valour; and, entering the city, sword in hand, exercised all those brutalities, which may be expected from ferocity, excited by resistance, and from insolence, which takes place when that resistance is no more. This renowned city, exposed by her renown alone, to so many calamities, never endured, in any age, even from the barbarians, by whom she was often subdued, such indignities as she was now compelled to suffer. The unrestrained massacre and pillage, which continued for several days, were the least ills to which the unhappy Romans were exposed.<sup>1</sup> Whatever was respectable in modesty, or sacred in religion, seemed but the more to provoke the insults of the soldiery. Virgins suffered violation in the arms of their parents, and upon those very altars to which they had fled for protection. Aged prelates, after enduring every indignity, and even every torture, were thrown into dungeons, and menaced with the most cruel death, in order to make them reveal their secret treasures, or purchase liberty, by exorbitant ransoms. Clement himself, who had trusted for protection to the sacredness of his character, and neglected to make his escape in time, was taken captive; and found that his dignity, which procured him no regard from the Spanish soldiers, did but draw on him the insolent mockery of the German, who, being generally attached to the Lutheran principles, were pleased to gratify their animosity, by the abasement of the sovereign pontiff.

When intelligence of this great event was conveyed to the emperor, that young prince, habituated to hypocrisy, expressed the most profound sorrow for the success of his arms: he put himself, and all his court, in mourning: he stopped the rejoicings for the birth of his son, Philip: and, knowing that every artifice, however gross, is able, when seconded by authority, to impose upon the people, he ordered prayers, during several months, to be put up in the churches, for the pope's liberty; which all men knew a letter, under his hand, could, in a moment, have procured.

The concern, expressed by Henry and Francis, for the calamity of their ally, was more sincere. These two monarchs, a few days before the sack of Rome, had concluded a treaty,<sup>2</sup> at Westminster, in which, besides renewing former alliances, they agreed to send ambassadors to Charles, requiring him to accept

<sup>1</sup> Guicciardini, lib. 18. Bellai. Stowe, p. 357. <sup>2</sup> 30th April.

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29th May.

11th July.

18th Sept.

League  
with  
France.

of two millions of crowns, as the ransom of the French princes, and to repay the money borrowed from Henry; and in case of refusal, the ambassadors, attended by heralds, were ordered to denounce war against him. This war it was agreed to prosecute in the Low Countries, with an army of thirty thousand infantry and fifteen hundred men at arms, two-thirds to be supplied by Francis, the rest by Henry. And, in order to strengthen the alliance between the princes, it was stipulated, that either Francis, or his son, the duke of Orleans, as should afterwards be agreed on, should espouse the princess Mary, Henry's daughter. No sooner did the monarchs receive intelligence of Bourbon's enterprise, than they changed, by a new treaty, the scene of the projected war, from the Netherlands to Italy; and hearing of the pope's captivity, they were farther stimulated to undertake the war, with vigour, for restoring him to liberty. Wolsey himself crossed the sea, in order to have an interview with Francis, and to concert measures for that purpose; and he displayed all that grandeur and magnificence, with which he was so much intoxicated. He was attended by a train of a thousand horse. The cardinal of Lorraine, and the chancellor Alençon, met him at Boulogne; Francis himself, besides granting to that haughty prelate the power of giving, in every place where he came, liberty to all prisoners, made a journey as far as Amiens, to meet him, and even advanced some miles from the town, the more to honour his reception. It was here stipulated, that the duke of Orleans should espouse the princess Mary; and as the emperor seemed to be taking some steps towards assembling a general council, the two monarchs agreed not to acknowledge it; but, during the interval of the pope's captivity, to govern the churches in their respective dominions, by their own authority. Wolsey made some attempts to get his legatine power extended over France, and even over Germany; but finding his efforts fruitless, he was obliged, though with great reluctance, to desist from these ambitious enterprises.<sup>1</sup>

The more to cement the union between these princes, a new treaty was, some time after, concluded at London; in which Henry agreed finally to renounce all claims to the crown of France; claims which might now, indeed, be deemed chimerical, but which often served as a pretence for exciting the unwary English to wage war upon the French nation. As a return for this concession, Francis bound himself, and his successors, to pay, for ever, fifty thousand crowns a year, to Henry and his successors; and, that greater solemnity might be given to this treaty, it was agreed that the parliaments and great nobility of both kingdoms should give their assent to it. The mareschal, Montmorency, accompanied by many persons of distinction, and attended by a pompous equipage, was sent over, to ratify the treaty; and was received, at London, with all the parade which suited the solemnity of the occasion. The terror of the empe-

<sup>1</sup> Burnet, book iii. col. 12, 13.

vor's greatness, had extinguished the ancient animosity between the nations; and Spain, during more than a century, became, though a more distant power, the chief object of jealousy to the English.

This cordial union, between France and England, though it added influence to the joint embassy, which they sent to the emperor, was not able to bend that monarch to submit, entirely, to the conditions insisted on by the allies. He departed, indeed, from his demand of Burgundy, as the ransom of the French princes; but he required, previously to their liberty, that Francis should evacuate Genoa, and all the fortresses held by him, in Italy: and he declared his intention of bringing Sforza to a trial, and confiscating the dutchy of Milan, on account of his pretended treason. The English and French heralds, therefore, according to agreement, declared war against him, and set him at defiance. Charles answered the English herald with moderation; but to the French, he reproached his master with breach of faith, reminded him of the private conversation which had passed between them, at Madrid, before their separation, and offered to prove, by single combat, that he had acted dishonourably. Francis retaliated this challenge, by giving Charles the lie; and, after demanding security of the field, he offered to maintain his cause by single combat. Many messages passed to and fro, between them; but though both princes were undoubtedly brave, the intended duel never took place. The French and Spaniards, during that age, zealously disputed, which of the monarchs incurred the blame of this failure; but all men of moderation, every where, lamented the power of fortune, that the prince, the more candid, generous and sincere, should, by unhappy incidents, have been reduced to so cruel a situation, that nothing but his violation of treaty could preserve his people, and that he must ever after, without being able to make a proper reply, bear to be reproached with breach of promise by a rival inferior to him, both in honour and in virtue.

But though this famous challenge, between Charles and Francis, had no immediate consequence with regard to these monarchs themselves, it produced a considerable alteration on the manners of the age. The practice of challenges and duels, which had been part of the ancient barbarous jurisprudence, which was still preserved, on very solemn occasions, and which was sometimes countenanced by the civil magistrate, began, thenceforth, to prevail in the most trivial incidents; and men, on any affront or injury, thought themselves entitled, or even required, in honour, to take revenge on their enemies, by openly vindicating their right, in single combat. These absurd, though generous maxims, shed much of the best blood in Christendom, during more than two centuries; and, notwithstanding the severity of law, and authority of reason, such is the prevailing force of custom, they are far from being, as yet, entirely exploded.

## CHAPTER XXX.

Scruples concerning the King's Marriage—The King enters into these scruples—Anne Boleyn—Henry applies to the Pope for a Divorce—The Pope favourable—The Emperor threatens him—The Pope's ambiguous conduct—The cause evoked to Rome—Wolsey's fall—Commencement of the Reformation in England—Foreign Affairs—Wolsey's Death—A Parliament—Progress of the Reformation—A Parliament—King's final breach with Rome—A Parliament.

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concern-  
ing the  
king's  
marriage.

NOTWITHSTANDING the submissive deference, paid to papal authority, before the reformation, the marriage of Henry with Catharine, of Arragon, his brother's widow, had not passed without much scruple and difficulty. The prejudices of the people, were, in general, bent against a conjugal union between such near relations; and the late king, though he had betrothed his son, when that prince was but twelve years of age, gave evident proofs of his intention to take, afterwards, a proper opportunity of annulling the contract.<sup>1</sup> He ordered the young prince, as soon as he came of age, to enter a protestation against the marriage;<sup>2</sup> and, on his death-bed, he charged him, as his last injunction, not to finish an alliance, so unusual, and exposed to such insuperable objections. After the king's accession, some members of the privy council, particularly Warham, the primate, openly declared against the resolution of completing the marriage; and though Henry's youth and dissipation kept him, during some time, from entertaining any scruples with regard to the measure which he had embraced, there happened incidents sufficient to rouse his attention, and to inform him of the sentiments generally entertained on that subject. The states of Castile had opposed the emperor Charles's espousals with Mary, Henry's daughter; and, among other objections, had insisted on the illegitimate birth of the young princess.<sup>3</sup> And when the negotiations were afterwards opened with France, and mention was made of betrothing her to Francis, or the duke of Orleans, the bishop of Tarbe, the French ambassador, revived the same objection.<sup>4</sup> But though these events naturally raised some doubts in Henry's mind, there concurred other causes, which tended much to increase his remorse, and render his conscience more scrupulous.

The king  
enters into  
these  
scruples.

The queen was older than the king, by no less than six years; and the decay of her beauty, together with particular infirmities and diseases, had contributed, notwithstanding her blameless character and deportment, to render her person unacceptable to him. Though she had borne him several children, they all died in early infancy, except one daughter: and he was the

<sup>1</sup> Morison's *Apomaxis*, p. 13.    <sup>2</sup> Morison, p. 13.    Heylin's *Queen Mary*.  
p. 2.    <sup>3</sup> Lord Herbert, *Fiddes's Life of Wolsey*.    <sup>4</sup> Rymer, vol. xiv. 192.  
203.    Heylin, p. 3.



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more struck with this misfortune, because the curse of being childless is the very threatening contained in the Mosaical law, against those who espouse their brother's widow. The succession too, of the crown, was a consideration that occurred to every one, whenever the lawfulness of Henry's marriage was called in question; and it was apprehended, that if doubts of Mary's legitimacy concurred with the weakness of her sex, the king of Scots, the next heir, would advance his pretensions, and might throw the kingdom into confusion. The evils, as yet recent, of civil wars and convulsions, arising from a disputed title, made great impression on the minds of men, and rendered the people universally desirous of any event, which might obviate so irreparable a calamity. And the king was thus impelled, both by his private passions, and by motives of public interest, to seek the dissolution of his inauspicious, and, as it was esteemed, unlawful marriage with Catharine.

Henry afterwards affirmed, that his scruples arose entirely from private reflection: and that on consulting his confessor, the bishop of Lincoln, he found the prelate possessed with the same doubts and difficulties. The king himself, being so great a casuist and divine, next proceeded to examine the question, more carefully, by his own learning and study; and having had recourse to Thomas, of Aquine, he observed that this celebrated doctor, whose authority was great in the church, and absolute with him, had treated of that very case, and had expressly declared against the lawfulness of such marriages.<sup>1</sup> The prohibitions, said Thomas, contained in Leviticus, and, among the rest, that of marrying a brother's widow, are moral, eternal, and founded on a divine sanction; and though the pope may dispense with the rules of the church, the laws of God cannot be set aside, by any authority, less than that which enacted them. The archbishop of Canterbury was then applied to; and he was required to consult his brethren: all the prelates of England, except Fisher, bishop of Rochester, unanimously declared, under their hand and seal, that they deemed the king's marriage unlawful.<sup>2</sup> Wolsey also fortified the king's scruples;<sup>3</sup> partly with a view of promoting a total breach with the emperor, Catharine's nephew; partly desirous of connecting the king more closely with Francis, by marrying him to the dutchess of Alençon, sister to that monarch; and perhaps, too, somewhat disgusted with the queen herself, who had reproved him for certain freedoms, unbefitting his character and station.<sup>4</sup> But Henry was carried forward, though, perhaps, not at first excited, by a motive more forcible than even the suggestions of that powerful favourite.

<sup>1</sup> Burnet, Fiddes. <sup>2</sup> Burnet, vol. i. p. 38. Stowe, p. 548. <sup>3</sup> Le Grand, vol. iii. p. 46, 166, 168. Saunders. Heylin, p. 4. <sup>4</sup> Burnet, vol. i. p. 38. Strype, vol. i. p. 88.

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Anne Boleyn.

Anne Boleyn, who lately appeared at court, had been appointed maid of honour to the queen; and having had frequent opportunities of being seen by Henry, and of conversing with him, she had acquired an entire ascendant over his affections. This young lady, whose grandeur and misfortunes have rendered her so celebrated, was daughter of Sir Thomas Boleyn, who had been employed by the king, in several embassies, and who was allied to all the principal nobility in the kingdom. His wife, mother to Anne, was daughter of the duke of Norfolk; his own mother was daughter of the duke of Ormond; his grandfather, Sir Geoffrey Boleyn, who had been mayor of London, had espoused one of the daughters and coheirs of lord Hastings.<sup>1</sup> Anne herself, though then in very early youth, had been carried over to Paris, by the king's sister, when the princess espoused Lewis XII. of France; and, upon the demise of that monarch, and the return of his dowager into England, this damsel, whose accomplishments, even in her tender years, were always much admired, was retained in the service of Claude, queen of France, spouse to Francis; and, after the death of that princess, she passed into the family of the dutchess of Alençon, a woman of singular merit. The exact time when she returned to England, is not certainly known; but it was after the king had entertained doubts, with regard to the lawfulness of his marriage with Catharine, if the account is to be credited, which he himself afterwards gave of that transaction. Henry's scruples had made him break off all conjugal commerce with the queen; but, as he still supported an intercourse of civility and friendship with her, he had occasion, in the frequent visits which he paid her, to observe the beauty, the youth, the charms of Anne Boleyn. Finding the accomplishments of her mind no-wise inferior to her exterior graces, he even entertained the design of raising her to the throne; and was the more confirmed in this resolution, when he found that her virtue and modesty prevented all hopes of gratifying his passion in any other manner. As every motive, therefore, of inclination and policy, seemed thus to concur in making the king desirous of a divorce from Catharine, and as his prospect of success was inviting, he resolved to make application to Clement, and he sent Knight, his secretary, to Rome, for that purpose.

Henry applies to the pope, for a divorce.

That he might not shock the haughty claims of the pontiff, he resolved not to found the application on any general doubts, concerning the papal power, to permit marriage in the nearer degrees of consanguinity; but only to insist on particular grounds of nullity in the bull, which Julius had granted, for the marriage of Henry and Catharine. It was a maxim, in the court of Rome, that if the pope be surprised into any concession, or grant any indulgence, upon false suggestions, the bull may, afterwards, be annulled; and this pretence had usually been employed,

<sup>1</sup> Camden's Preface to the Life of Elizabeth. Burnet, vol. i. p. 44.

wherever one pope had recalled any deed, executed by any of his predecessors. But Julius's bull, when examined, afforded abundant matter of this kind; and any tribunal, favourable to Henry, needed not want a specious colour for gratifying him in his applications for a divorce. It was said, in the preamble, that the bull had been granted upon his solicitation; though it was known that, at that time, he was under twelve years of age: it was also affirmed, as another motive for the bull, that the marriage was requisite, in order to preserve peace between the two crowns; though it is certain, that there was not then any ground or appearance of quarrel between them. These false premises, in Julius's bull, seemed to afford Clement a sufficient reason or pretence for annulling it, and granting Henry a dispensation for a second marriage.<sup>1</sup>

But though the pretext, for this indulgence, had been less plausible, the pope was in such a situation, that he had the strongest motives to embrace every opportunity of gratifying the English monarch. He was then a prisoner in the hands of the emperor, and had no hopes of recovering his liberty; on any reasonable terms, except by the efforts of the league, which Henry had formed with Francis and the Italian powers, in order to oppose the ambition of Charles. When the English secretary, therefore, solicited him in private, he received a very favourable answer; and a dispensation was forthwith promised to be granted to his master.<sup>2</sup> Soon after, the march of a French army into Italy, under the command of Lautrec, obliged the imperialists to restore Clement to his liberty; and he retired to Orvietto, where the secretary, with Sir Gregory Cassali, the king's resident, at Rome, renewed their applications to him. They still found him full of high professions of friendship, gratitude, and attachment to the king; but not so prompt in granting his request, as they expected. The emperor, who had got intelligence of Henry's application to Rome, had exacted a promise from the pope, to take no steps in the affair, before he communicated them to the imperial ministers; and Clement, embarrassed by this promise, and still more overawed by the emperor's forces in Italy, seemed willing to postpone those concessions, desired of him by Henry. Importuned, however, by the English ministers, he at last put into their hands a *commission* to Wolsey, as legate, in conjunction with the archbishop of Canterbury, or any other English prelate, to examine the validity of the king's marriage and Julius's dispensation:<sup>3</sup> he also granted them a provisional *dispensation*, for the king's marriage with any other person; and promised to issue a *decretal bull*, annulling the marriage with Catharine. But he represented to him the dangerous consequences which must ensue to him, if these concessions should come to the emperor's knowledge; and he conjured them not to publish those papers, or

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The pope  
favourable.

<sup>1</sup> Collier, Eccl. Hist. vol. ii. p. 25, from the Cott. Lib. Vitel. p. 9. <sup>2</sup> Burnet, vol. i. p. 47. <sup>3</sup> Rymer, vol. xiv. p. 237.

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make any farther use of them, till his affairs were in such a situation as to secure his liberty and independence. And his secret advice was, whenever they should find the proper time for opening the scene, that they should prevent all opposition, by proceeding immediately to a conclusion, by declaring the marriage with Catharine invalid, and by Henry's instantly espousing some other person. Nor would it be so difficult, he said, for himself to confirm these proceedings, after they were passed, as previously to render them valid, by his consent and authority.<sup>1</sup>

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When Henry received the commission and dispensation, from his ambassadors, and was informed of the pope's advice, he laid the whole before his ministers, and asked their opinion in so delicate a situation. The English counsellors considered the danger of proceeding, in the manner pointed out to them. Should the pope refuse to ratify a deed, which he might justly call precipitate and irregular, and should he disavow the advice which he gave, in so clandestine a manner, the king would find his second marriage totally invalidated; the children, which it might bring him, declared illegitimate, and his marriage with Catharine more firmly rivetted than ever.<sup>2</sup> And Henry's apprehensions of the possibility, or even probability, of such an event, were much confirmed, when he reflected on the character and situation of the sovereign pontiff.

Clement was a prince of excellent judgment, whenever his timidity, to which he was extremely subject, allowed him to make full use of those talents and that penetration with which he was endowed.<sup>3</sup> The captivity, and other misfortunes, which he had undergone, by entering into a league against Charles, had so affected his imagination, that he never, afterwards, exerted himself with vigour, in any public measure; especially if the interest or inclinations of that potentate stood in opposition to him. The imperial forces were, at that time, powerful in Italy, and might return to the attack of Rome, which was still defenceless, and exposed to the same calamities with which it had already been overwhelmed. And besides these dangers, Clement fancied himself exposed to perils, which threatened still more immediately his person and his dignity.

The emperor  
threatens  
him.

Charles, apprised of the timid disposition of the holy father, threw out perpetual menaces of summoning a general council; which he represented as necessary to reform the church, and correct those enormous abuses, which the ambition and avarice of the court of Rome had introduced into every branch of ecclesiastical administration. The power of the sovereign pontiff himself, he said, required limitation; his conduct called aloud for amendment; and even his title to the throne which he filled, might justly be called in question. That pope had always pass-

<sup>1</sup> Collier, from Cott. Lib. Vitel. B. 10. <sup>2</sup> Burnet, vol. i. p. 51. <sup>3</sup> Father Paul, lib. 1. Guicciardini.



ed for the natural son of Julian, of Medicis, who was of the sovereign family of Florence; and though Leo X. his kinsman, had declared him legitimate, upon a pretended promise of marriage between his father and mother, few believed that declaration to be founded on any just reason or authority.<sup>1</sup> The canon law, indeed, had been entirely silent, with regard to the promotion of bastards to the papal throne; but, what was still dangerous, the people had entertained a violent prepossession, that this stain in the birth of any person was incompatible with so holy an office. And, in another point, the canon law was express and positive, that no man, guilty of simony, could attain that dignity. A severe bull of Julius II. had added new sanctions to this law, by declaring, that a simoniacal election could not be rendered valid, even by a posterior consent of the cardinals. But, unfortunately, Clement had given to cardinal Colonna a billet, containing promises of advancing that cardinal, in case he himself should attain the papal dignity, by his concurrence: and this billet Colonna, who was in entire dependence on the emperor, threatened, every moment, to expose to public view.<sup>2</sup>

While Charles terrified the pope with these menaces, he also allured him by hopes, which were no less prevalent over his affections. At the time when the emperor's forces sacked Rome, and reduced Clement to captivity, the Florentines, passionate for their ancient liberty, had taken advantage of his distresses, and, revolting against the family of Medicis, had entirely abolished their authority in Florence, and re-established the democracy. The better to protect themselves in their freedom, they had entered into the alliance with France, England and Venice, against the emperor; and Clement found that, by this interest, the hands of his confederates were tied from assisting him in the restoration of his family; the event which, of all others, he most passionately desired. The emperor alone, he knew, was able to effect this purpose; and, therefore, whatever professions he made of fidelity to his allies, he was always, on the least glimpse of hope, ready to embrace every proposal of a cordial reconciliation with that monarch.<sup>3</sup>

These views and interests of the pope were well known in England; and as the opposition of the emperor to Henry's divorce was foreseen, both on account of the honour and interests of Catharine, his aunt, and the obvious motive of distressing an enemy, it was esteemed dangerous to take any measure of consequence, in expectation of the subsequent concurrence of a man of Clement's character, whose behaviour always contained so much duplicity, and who was, at present, so little at his own disposal. The safest measures seemed to consist in previously engaging him so far, that he could not afterwards recede, and in making use of his present ambiguity and uncertainty, to extort the most important concessions from him. For this purpose, Ste-

<sup>1</sup> Father Paul, lib. 1.    <sup>2</sup> Ibid.    <sup>3</sup> Ibid.

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10th Feb.The  
pope's am-  
biguous  
conduct.

phen Gardiner, the cardinal's secretary, and Edward Fox, the king's almoner, were despatched to Rome, and were ordered to solicit a commission from the pope, of such a nature as would oblige him to confirm the sentence of the commissioners, whatever it should be, and disable him, on any account, to recal the commission, or evoke the cause to Rome.<sup>1</sup>

But the same reasons which made the king so desirous of obtaining this concession, confirmed the pope in the resolution of refusing it: he was still determined to keep the door open for an agreement with the emperor; and he made no scruple of sacrificing all other considerations to a point, which he deemed the most essential and important to his own security, and to the greatness of his family. He granted, therefore, a new commission, in which cardinal Campeggio was joined to Wolsey, for the trial of the king's marriage; but he could not be prevailed on to insert the clause desired of him: and though he put into Gardiner's hand a letter, promising not to recal the present commission, this promise was found, on examination, to be couched in such ambiguous terms as left him still the power, whenever he pleased, of departing from it.<sup>2</sup>

Campeggio lay under some obligations to the king; but his dependence on the pope was so much greater, that he conformed himself entirely to the views of the latter; and though he received his commission in April, he delayed his departure under so many pretences, that it was October before he arrived in England. The first step which he took was to exhort the king to desist from the prosecution of his divorce; and, finding that this counsel gave offence, he said that his intention was, also, to exhort the queen to take the vows in a convent, and that he thought it his duty, previously, to attempt an amicable composure of all differences.<sup>3</sup> The more to pacify the king, he showed to him, as also to the cardinal, the decretal bull, annulling the former marriage with Catharine; but no entreaties could prevail on him to make any other of the king's council privy to the secret.<sup>4</sup> In order to atone, in some degree, for this obstinacy, he expressed to the king and the cardinal, the pope's great desire of satisfying them, in every reasonable demand; and, in particular, he showed, that their request for suppressing some more monasteries, and converting them into cathedrals and episcopal sees, had obtained the consent of his holiness.<sup>5</sup>

These ambiguous circumstances, in the behaviour of the pope and the legate, kept the court of England in suspense, and determined the king to wait, with patience, the issue of such uncertain councils. Fortune, meanwhile, seemed to promise him a more sure and expeditious way of extricating himself from

<sup>1</sup> Lord Herbert. Burnet, vol. i. p. 29, in the collect. Le Grand, vol. iii. p. 28. Strype, vol. i. p. 93, with App. No. 23, 24, &c. <sup>2</sup> Lord Herbert, p. 221. Burnet, p. 59. <sup>3</sup> Herbert, p. 225. <sup>4</sup> Burnet, p. 58. <sup>5</sup> Rymer, vol. xiv. p. 270. Strype, vol. i. p. 110, 111. App. No. 28.

his present difficulties. Clement was seized with a dangerous illness; and the intrigues, for electing his successor, began already to take place, among the cardinals. Wolsey in particular, supported by the interests of England and of France, entertained hopes of mounting the throne of St. Peter;<sup>1</sup> and it appears, that if a vacancy had then happened, there was a probability of his reaching that summit of his ambition. But the pope recovered, though after several relapses; and he returned to the same train of false and deceitful politics, by which he had hitherto amused the court of England. He still flattered Henry, with professions of the most cordial attachment, and promised him a sudden and favourable issue to his process: he still continued his secret negotiations with Charles, and persevered in the resolution of sacrificing all his promises, and all the interests of the Romish religion, to the elevation of his family. Campeggio, who was perfectly acquainted with his views and intentions, protracted the decision, by the most artful delays; and gave Clement full leisure to adjust all the terms of his treaty with the emperor.

The emperor, acquainted with the king's extreme earnestness in this affair, was determined that he should obtain success by no other means, than by an application to him, and by deserting his alliance with Francis, which had hitherto supported, against the superior force of Spain, the tottering state of the French monarchy. He willingly hearkened, therefore, to the applications of Catharine, his aunt; and promising her his utmost protection, exhorted her never to yield to the malice and persecutions of her enemies. The queen herself was, naturally, of a firm and resolute temper; and was engaged, by every motive, to persevere in protesting against the injustice to which she thought herself exposed. The imputation of incest, which was thrown upon her marriage with Henry, struck her with the highest indignation: the illegitimacy of her daughter, which seemed a necessary consequence, gave her the most just concern: the reluctance of yielding to a rival, who, she believed, had supplanted her in the king's affections, was a very natural motive. Actuated by these considerations, she never ceased soliciting her nephew's assistance, and earnestly entreating an evocation of the cause to Rome, where, alone, she thought she could expect justice. And the emperor, in all his negotiations with the pope, made the recal of the commission which Campeggio and Wolsey exercised, in England, a fundamental article.<sup>2</sup>

The two legates, meanwhile, opened their court, at London, and cited the king and queen to appear before it. They both presented themselves; and the king answered to his name, when called: but the queen, instead of answering to hers, rose from her seat, and throwing herself at the king's feet, made a very pathetic harangue, which her virtue, her dignity, and her mis-

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31st May  
Trial of  
the king's  
marriage.<sup>1</sup> Burnet, vol. i. p. 63. <sup>2</sup> Herbert, p. 225. Burnet, vol. i. p. 69.

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fortunes, rendered the more affecting. She told him, that she was a stranger in his dominions, without protection, without counsel, without assistance; exposed to all the injustice which her enemies were pleased to impose upon her; that she had quitted her native country, without other resource, than her connexions with him and his family, and had expected that, instead of suffering thence any violence or iniquity, she was assured in them of a safeguard against every misfortune: that she had been his wife, during twenty years, and would here appeal to himself, whether her affectionate submission to his will, had not merited better treatment, than to be thus, after so long a time, thrown from him with so much indignity: that she was conscious—he himself was assured—that her virgin honour was yet unstained, when he received her into his bed, and that her connexions with his brother had been carried no farther than the ceremony of marriage: that their parents, the kings of England and Spain, were esteemed the wisest princes of their time, and had undoubtedly acted by the best advice, when they formed the agreement for that marriage, which was now represented as so criminal and unnatural: and that she acquiesced in their judgment, and would not submit her cause to be tried by a court, whose dependence on her enemies was too visible, ever to allow her any hopes of obtaining, from them, an equitable or impartial decision.<sup>1</sup> Having spoken these words, she rose, and making the king a low reverence, she departed from the court, and never would again appear in it.

After her departure, the king did her the justice to acknowledge, that she had ever been a dutiful and affectionate wife, and that the whole tenor of her behaviour had been conformable to the strictest rules of probity and honour. He only insisted on his own scruples, with regard to the lawfulness of their marriage; and he explained the origin, the progress, and the foundation of those doubts, by which he had been so long and so violently agitated. He acquitted cardinal Wolsey from having any hand in encouraging his scruples; and he craved a sentence of the court, agreeable to the justice of his cause.

The legates, after citing the queen anew, declared her *contumacious*, notwithstanding her appeal to Rome; and then proceeded to the examination of the cause. The first point, which came before them, was the proof of prince Arthur's consummation of his marriage with Catharine; and it must be confessed, that no stronger arguments could reasonably be expected, of such a fact, after so long an interval. The age of the prince, who had passed his fifteenth year; the good state of his health; the long time that he had cohabited with his consort; many of his expressions to that very purpose; all these circumstances, form a violent presumption in favour of the king's assertions.<sup>2</sup> Henry himself, after his brother's death, was not allowed, for

<sup>1</sup> Burnet, vol. i. p. 73. Hall, Stowe, p. 543. <sup>2</sup> Herbert.



some time, to bear the title of prince of Wales, in expectation of her pregnancy: the Spanish ambassador, in order the better to ensure possession of her jointure, had sent over to Spain proofs of the consummation of her marriage:<sup>1</sup> Julius's bull itself, was founded on the supposition that Arthur had, *perhaps*, had knowledge of the princess: in the very treaty, fixing Henry's marriage, the consummation of the former marriage, with prince Arthur, is acknowledged on both sides.<sup>2</sup> These particulars were all laid before the court, accompanied with many reasonings concerning the extent of the pope's authority, and against his power of granting a dispensation to marry within the prohibited degrees. Campeggio heard these doctrines with great impatience; and, notwithstanding his resolution to protract the cause, he was often tempted to interrupt and silence the king's counsel, when they insisted on such disagreeable topics. The trial was spun out till the 23d of July; and Campeggio chiefly took on him the part of conducting it. Wolsey, though the elder cardinal, permitted him to act as president of the court; because it was thought, that a trial, managed by an Italian cardinal, would carry the appearance of greater candour and impartiality, than if the king's own minister and favourite had presided in it. The business now seemed to be drawing near to a period; and the king was every day in expectation of a sentence in his favour; when, to his great surprise, Campeggio, on a sudden, without any warning, and upon very frivolous pretences,<sup>3</sup> prorogued the court, till the first of October. The evocation, which came, a few days after, from Rome, put an end to all the hopes of success, which the king had so long and so anxiously cherished.<sup>4</sup>

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The cause  
evoked to  
Rome.

During the time that the trial was carried on, before the legates, at London, the emperor had, by his ministers, earnestly solicited Clement to evoke the cause; and had employed every topic of hope or terror, which could operate either on the ambition or timidity of the pontiff. The English ambassadors, on the other hand, in conjunction with the French, had been no less earnest in their applications, that the legates should be allowed to finish the trial; but though they employed the same engines of promises and menaces, the motives which they could set before the pope, were not so urgent or immediate as those which were held up to him by the emperor.<sup>5</sup> The dread of losing England, and of fortifying the Lutherans, by so considerable an accession, made small impression on Clement's mind, in comparison of the anxiety for his personal safety, and the fond desire of restoring the Medicis to their dominion in Florence. As soon, therefore, as he had adjusted all terms with the emperor, he laid hold of the pretence of justice, which required him, as he asserted, to pay regard to the queen's appeal; and, suspending the

<sup>1</sup> Burnet, vol. ii. p. 35.    <sup>2</sup> Rymer, vol. xiii. p. 81.    <sup>3</sup> Burnet, vol. i. p. 76, 77.    <sup>4</sup> Herbert, p. 254.    <sup>5</sup> Burnet, vol. i. p. 75.

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commission of the legates, he adjourned the cause, to his own personal judgment, at Rome. Campeggio had, beforehand, received private orders, delivered by Campana, to burn the decretal bull, with which he was intrusted.

Wolsey had long foreseen this measure, as the sure forerunner of his ruin. Though he had, at first, desired that the king should rather marry a French princess, than Anne Boleyn, he had employed himself, with the utmost assiduity and earnestness, to bring the affair to a happy issue:<sup>1</sup> he was not, therefore, to be blamed for the unprosperous event which Clement's partiality had produced. But he had sufficient experience of the extreme ardour and impatience of Henry's temper, who could bear no contradiction, and who was wont, without examination or distinction, to make his ministers answerable for the success of those transactions with which they were intrusted. Anne Boleyn, also, who was prepossessed against him, had imputed to him the failure of her hopes; and as she was newly returned to court, whence she had been removed, from a regard to decency, during the trial before the legates, she had naturally acquired an additional influence on Henry, and she served much to fortify his prejudices against the cardinal.<sup>2</sup> Even the queen and her partisans, judging of Wolsey, by the part which he had openly acted, had expressed great animosity against him; and the most opposite factions seemed now to combine in the ruin of this haughty minister. The high opinion itself, which Henry had entertained of the cardinal's capacity, tended to hasten his downfall; while he imputed the bad success of that minister's undertakings, not to ill fortune, or to mistake, but to the malignity or infidelity of his intentions. The blow, however, fell not instantly on his head. The king, who probably could not justify, by any good reason, his alienation from his ancient favourite, seems to have remained some time in suspense; and he received him, if not with all his former kindness, at least with the appearance of trust and regard.

Wolsey's  
fall.

18th Oct.

But constant experience evinces, how rarely a high confidence and affection receives the least diminution, without sinking into absolute indifference, or even running into the opposite extreme. The king now determined to bring on the ruin of the cardinal, with a motion almost as precipitate, as he had formerly employed in his elevation. The dukes of Norfolk and Suffolk were sent to require the great seal from him; and on his scrupling to deliver it,<sup>3</sup> without a more express warrant, Henry wrote him a letter, upon which it was surrendered, and it was delivered, by the king, to Sir Thomas More, a man who, besides the ornaments of an elegant literature, possessed the highest virtue, integrity, and capacity.

Wolsey was ordered to depart from York-Place, a palace which

<sup>1</sup> Collier, vol. ii. p. 45. Burnet, vol. i. p. 53. <sup>2</sup> Cavendish, p. 40. <sup>3</sup> Ibid. p. 41.

he had built in London, and which, though it really belonged to the see of York, was seized by Henry, and became, afterwards, the residence of the kings of England, by the title of Whitehall. All his furniture and plate were also seized: their riches and splendour befitted rather a royal than a private fortune. The walls of his palace were covered with cloth of gold or cloth of silver: he had a cupboard of plate, of massy gold: there were found a thousand pieces of fine holland, belonging to him; the rest of his riches and furniture was in proportion; and his opulence was, probably, no small inducement to this violent persecution against him.

The cardinal was ordered to retire to Asher, a country seat which he possessed, near Hampton-Court. The world, that had paid him such abject court, during his prosperity, now entirely deserted him on this fatal reverse of all his fortunes. He himself was much dejected with the change; and, from the same turn of mind, which had made him be so vainly elated with his grandeur, he felt the stroke of adversity with double rigour.<sup>1</sup> The smallest appearance of his return to favour threw him into transports of joy, unbecoming a man. The king had seemed willing, during some time, to intermit the blows which overwhelmed him. He granted him his protection, and left him in possession of the sees of York and Winchester. He even sent him a gracious message, accompanied with a ring, as a testimony of his affection. Wolsey, who was on horseback, when the messenger met him, immediately alighted; and throwing himself on his knees, in the mire, received, in that humble attitude, these marks of his majesty's gracious disposition towards him.<sup>2</sup>

But his enemies, who dreaded his return to court, never ceased plying the king with accounts of his several offences; and Anne Boleyn, in particular, contributed her endeavours, in conjunction with her uncle, the duke of Norfolk, to exclude him from all hopes of ever being reinstated in his former authority. He dismissed, therefore, his numerous retinue; and, as he was a kind and beneficent master, the separation passed not, without a plentiful effusion of tears on both sides.<sup>3</sup> The king's heart, notwithstanding some gleams of kindness, seemed now totally hardened against his old favourite. He ordered him to be indicted, in the star-chamber, where a sentence was passed against him. And, not content with this severity, he abandoned him to all the rigour of the parliament, which now, after a long interval, was again assembled. The house of lords voted a long charge against Wolsey, consisting of forty-four articles; and accompanied it with an application, to the king, for his punishment, and his removal from all authority. Little opposition was made to this charge, in the upper house: no evidence, of any part of it, was so much as called for; and, as it chiefly consists of

<sup>1</sup> Stryce, vol. i. p. 114, 115. App. No. 31, &c. <sup>2</sup> Stowe, p. 547. <sup>3</sup> Cavendish. Stowe, p. 549.

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general accusations, it was scarcely susceptible of any.\* The articles were sent down to the house of commons; where Thomas Cromwell, formerly a servant of the cardinal's, and who had been raised, by him, from a very low station, defended his unfortunate patron with such spirit, generosity, and courage, as acquired him great honour, and laid the foundation of that favour, which he afterwards enjoyed with the king.

Wolsey's enemies, finding that either his innocence or his caution prevented them from having any just ground of accusing him, had recourse to a very extraordinary expedient. An indictment was laid against him, that, contrary to a statute of Richard II. commonly called the statute of provisors, he had procured bulls from Rome, particularly one investing him with the legatine power, which he had exercised with very extensive authority. He confessed the indictment, pleaded ignorance of the statute, and threw himself on the king's mercy. He was, perhaps, within reach of the law; but, besides that this statute had fallen into disuse, nothing could be more rigorous and severe, than to impute to him, as a crime, what he had openly, during the course of so many years, practised with the consent and approbation of the king, and the acquiescence of the parliament and kingdom: not to mention what he always asserted,<sup>1</sup> and what we can scarcely doubt of, that he had obtained the royal license in the most formal manner, which, had he not been apprehensive of the dangers attending any opposition to Henry's lawless will, he might have pleaded, in his own defence, before the judges. Sentence, however, was pronounced against him "That he was out of the king's protection; his lands and goods forfeited; and that his person might be committed to custody." But this prosecution of Wolsey was carried no farther. Henry even granted him a pardon, for all offences; restored him part of his plate and furniture, and still continued, from time to time, to drop expressions of favour and compassion towards him.

Com-  
mence-  
ment of  
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mation in  
England.

The complaints against the usurpations of the ecclesiastics had been very ancient, in England, as well as in most other European kingdoms; and as this topic was now become popular, every where, it had paved the way for the Lutheran tenets, and reconciled the people, in some measure, to the frightful idea of heresy and innovation. The commons, finding the occasion favourable, passed several bills restraining the impositions of the clergy; one for the regulating of mortuaries; another against the exactions for the probates of wills;<sup>2</sup> a third against non-residence and pluralities, and against churchmen's being farmers of land. But, what appeared chiefly dangerous to the ecclesias-

\* See note [R] at the end of the volume. <sup>1</sup> Cavendish, p. 72. <sup>2</sup> These exactions were quite arbitrary, and had risen to a great height. A member said, in the house, that a thousand marks had been exacted from him, on that account. Hall, fol. 188. Strype, vol. i. p. 73.



tical order, were the severe invectives thrown out, almost without opposition, in the house, against the dissolute lives of the priests, their ambition, their avarice, and their endless encroachments on the laity. Lord Herbert<sup>1</sup> has even preserved the speech of a gentleman of Gray's-Inn, which is of a singular nature, and contains such topics, as we should little expect to meet with during that period. The member insists upon the vast variety of theological opinions, which prevailed in different nations and ages; the endless, inextricable controversies maintained by the several sects: the impossibility that any man, much less the people, could ever know, much less examine, the tenets and principles of every sect; the necessity of ignorance, and a suspense of judgment, with regard to all those objects of dispute; and, upon the whole, he infers, that the only religion obligatory on mankind is the belief of one supreme Being, the author of nature; and the necessity of good morals, in order to obtain his favour and protection. Such sentiments would be deemed latitudinarian, even in our time; and would not be advanced, without some precaution, in a public assembly. But though the first broaching of religious controversy might encourage the sceptical turn, in a few persons, of a studious disposition, the zeal with which men, soon after, attached themselves to their several parties, served effectually to banish, for a long time, all such obnoxious liberties.

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The bills for regulating the clergy, met with some opposition, in the house of lords. Bishop Fisher, in particular, imputed these measures of the commons to their want of faith, and to a formed design, derived from heretical and Lutheran principles, of robbing the church of her patrimony, and overturning the national religion. The duke of Norfolk reproved the prelate, in severe, and even somewhat indecent terms. He told him, that the greatest clerks were not always the wisest men. But Fisher replied, that he did not remember any fools, in his time, who had proved great clerks. The exceptions taken at the bishop of Rochester's speech stopped not there. The commons, by the mouth of Sir Thomas Audley, their speaker, made complaints to the king, of the reflections thrown upon them; and the bishop was obliged to put a more favourable construction on his words.<sup>2</sup>

Henry was not displeased that the court of Rome, and the clergy, should be sensible that they were entirely dependent on him; and that his parliament, if he were willing to second their inclinations, was sufficiently disposed to reduce the power and privileges of the ecclesiastics. The commons gratified the king, in another particular, of moment: they granted him a discharge of all those debts which he had contracted, since the beginning of his reign; and they grounded this bill, which occasioned many complaints, on a pretence of the king's great care of the nation, and of his regularly employing all the money which he had

<sup>1</sup> P. 293.    <sup>2</sup> Parliamentary History, vol. iii. p. 59. Burnet, vol. ii. p. 82.

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Foreign  
affairs.

borrowed, in the public service. Most of the king's creditors consisted of friends to the cardinal, who had been engaged, by their patron, to contribute to the supply of Henry's necessities; and the present courtiers were well pleased to take the opportunity of mulcting them.<sup>1</sup> Several, also, approved of an expedient, which they hoped would ever after discredit a method of supply, so irregular and so unparliamentary.

The domestic transactions of England were, at present, so interesting to the king, that they chiefly engaged his attention; and he regarded foreign affairs only in subordination to them. He had declared war against the emperor; but the mutual advantages, reaped by the commerce between England and the Netherlands, had engaged him to stipulate a neutrality with those provinces; and except by money contributed to the Italian wars, he had, in effect, exercised no hostility against any of the imperial dominions. A general peace was this summer established in Europe. Margaret, of Austria, and Louisa, of Savoy, met at Cambray, and settled the terms of pacification between the French king and the emperor. Charles accepted of two millions of crowns, in lieu of Burgundy; and he delivered up the two princes of France, whom he had retained as hostages. Henry was, on this occasion, so generous to his friend and ally, Francis, that he sent him an acquittal of near six hundred thousand crowns, which that prince owed him. Francis's Italian confederates, were not so well satisfied as the king, with the peace of Cambray: they were almost wholly abandoned to the will of the emperor; and seemed to have no means of security left, but his equity and moderation. Florence, after a brave resistance, was subdued by the imperial arms, and finally delivered over to the dominion of the family of Medicis. The Venetians were better treated; they were only obliged to relinquish some acquisitions, which they had made on the coast of Naples. Even Francis Sforza obtained the investiture of Milan, and was pardoned for all past offences. The emperor, in person, passed into Italy, with a magnificent train, and received the imperial crown from the hands of the pope, at Bologna. He was but twenty-nine years of age; and having already, by his vigour and capacity, succeeded in every enterprise, and reduced to captivity the two greatest potentates in Europe, the one spiritual, the other temporal, he attracted the eyes of all men; and many prognostications were formed of his growing empire.

But though Charles seemed to be prosperous on every side, and though the conquest of Mexico and Peru now began to prevent that scarcity of money, under which he had hitherto laboured, he found himself threatened with difficulties in Germany; and his desire of surmounting them was the chief cause of his granting such moderate conditions to the Italian powers. Sultan Solymán, the greatest and most accomplished prince that

<sup>1</sup> Burnet, vol. ii. p. 83.

ever sat on the Ottoman throne, had almost entirely subdued Hungary, had besieged Vienna, and though repulsed, still menaced the hereditary dominions of the house of Austria with conquest and subjection. The Lutheran princes of the empire, finding that liberty of conscience was denied them, had combined, in a league, for their own defence, at Smalcalde; and because they protested against the votes, passed in the imperial diet, they thenceforth received the appellation of *Protestants*. Charles had undertaken to reduce them to obedience; and, on pretence of securing the purity of religion, he had laid a scheme for aggrandizing his own family, by extending its dominion over all Germany.

The friendship of Henry, was one material circumstance, yet wanting to Charles, in order to ensure success in his ambitious enterprises; and the king was sufficiently apprised, that the concurrence of that prince would, at once, remove all the difficulties which lay in the way of his divorce; that point, which had long been the object of his most earnest wishes. But, besides that the interests of his kingdom seemed to require an alliance with France, his haughty spirit could not submit to a friendship, imposed on him by constraint; and, as he had ever been accustomed to receive courtship, deference, and solicitation, from the greatest potentates, he could ill brook that dependence, to which this unhappy affair seemed to have reduced him. Amidst the anxieties, with which he was agitated, he was often tempted to break off all connexions with the court of Rome; and though he had been educated in a superstitious reverence to papal authority, it is likely that his personal experience of the duplicity and selfish politics of Clement, had served much to open his eyes in that particular. He found his prerogative firmly established at home: he observed, that his people were, in general, much disgusted with clerical usurpations, and disposed to reduce the powers and privileges of the ecclesiastical order: he knew, that they had cordially taken part with him, in his prosecution of the divorce, and highly resented the unworthy treatment which, after so many services, and much devoted attachment, he had received from the court of Rome. Anne Boleyn, also, could not fail to use all her efforts, and employ every insinuation, in order to make him proceed to extremities against the pope; both as it was the readiest way to her attaining royal dignity, and as her education, in the court of the dutchess of Alençon, a princess inclined to the reformers, had already disposed her to a belief of the new doctrines. But notwithstanding these inducements, Henry had strong motives still to desire a good agreement with the sovereign pontiff. He apprehended the danger of such great innovations: he dreaded the reproach of heresy; he abhorred all connexions with the Lutherans, the chief opponents of the papal power: and, having once exerted himself, with such applause, as he imagined, in defence of the Romish communion, he was ashamed to retract his former opinions, and betray, from

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The uni-  
versities  
consulted  
about the  
king's  
marriage.

passion, such a palpable inconsistency. While he was agitated by these contrary motives, an expedient was proposed, which, as it promised a solution of all difficulties, was embraced, by him, with the greatest joy and satisfaction.

Dr. Thomas Cranmer, fellow of Jesus College, in Cambridge, was a man remarkable, in that university, for his learning, and still more for the candour and disinterestedness of his temper. He fell, one evening, by accident, into company with Gardiner, now secretary of state, and Fox, the king's almoner; and, as the business of the divorce became the subject of conversation, he observed, that the readiest way, either to quiet Henry's conscience, or extort the pope's consent, would be to consult all the universities of Europe, with regard to this controverted point: if they agreed to approve of the king's marriage with Catharine, his remorse would naturally cease; if they condemned it, the pope would find it difficult to resist the solicitations of so great a monarch, seconded by the opinion of all the learned men in Christendom.<sup>1</sup> When the king was informed of the proposal, he was delighted with it; and swore, with more alacrity than delicacy, that Cranmer had got the right sow by the ear; he sent for that divine; entered into conversation with him; conceived a high opinion of his virtue and understanding; engaged him to write, in defence of the divorce; and immediately, in prosecution of the scheme proposed, employed his agents to collect the judgments of all the universities in Europe.

Had the question of Henry's marriage with Catharine been examined, by the principles of sound philosophy, exempt from superstition, it seemed not liable to much difficulty. The natural reason why marriage, in certain degrees, is prohibited by the civil laws, and condemned by the moral sentiments of all nations, is derived from men's care to preserve purity of manners; while they reflect, that if a commerce of love were authorized between near relations, the frequent opportunities of intimate conversation, especially during early youth, would introduce an universal dissoluteness and corruption. But, as the customs of countries vary considerably, and open an intercourse, more or less restrained, between different families, or between the several members of the same family, we find, that the moral precept, varying with its cause, is susceptible, without any inconvenience, of very different latitude, in the several ages and nations of the world. The extreme delicacy of the Greeks, permitted no communication between persons of different sexes, except where they lived under the same roof; and even the apartments of a step-mother and her daughters, were almost as much shut up against visits from the husband's sons, as against those from any stranger or more distant relation; hence, in that nation, it was lawful for a man to marry, not only his niece, but his half-sister, by the father: a liberty unknown to the Romans and other nations, where

<sup>1</sup> Fox, p. 1860, 2d edit. Burnet, vol. i. p. 79. Speed, p. 769. Heylin, p. 5.



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a more open intercourse was authorized between the sexes. Reasoning from this principle, it would appear, that the ordinary commerce of life, among great princes, is so obstructed by ceremony and numerous attendants, that no ill consequence would result among them from marrying a brother's widow; especially if the dispensation of the supreme priest be previously required, in order to justify what may, in common cases, be condemned, and to hinder the precedent from becoming too common and familiar. And, as strong motives of public interest and tranquillity, may frequently require such alliances between the foreign families, there is the less reason for extending, towards them, the full rigour of the rule which has place among individuals.\*

But, in opposition to these reasons, and many more, which might be collected, Henry had custom and precedent on his side; the principle by which men are almost wholly governed, in their actions and opinions. The marrying of a brother's widow, was so unusual, that no other instance of it could be found, in any history or record of any Christian nation; and though the popes were accustomed to dispense with more essential precepts of morality, and even permitted marriages within other prohibited degrees, such as those of uncle and niece, the imaginations of men were not yet reconciled to this particular exercise of his authority. Several universities of Europe, therefore, without hesitation, as well as without interest or reward,<sup>1</sup> gave verdict in the king's favour; not only those of France, Paris, Orleans, Bourges, Toulouse, Angiers, which might be supposed to lie under the influence of their prince, ally to Henry; but also those of Italy, Venice, Ferrara, Padua; even Bologna itself, though under the immediate jurisdiction of Clement. Oxford alone,<sup>2</sup> and Cambridge,<sup>3</sup> made some difficulty; because these universities, alarmed at the progress of Lutheranism, and dreading a defection from the holy see, scrupled to give their sanction to measures, whose consequences, they feared, would prove fatal to the ancient religion. Their opinion, however, conformable to that of the other universities of Europe, was at last obtained; and the king, in order to give more weight to all these authorities, engaged his nobility to write a letter to the pope, recommending his cause to the holy father, and threatening him with the most dangerous consequences, in case of a denial of justice.<sup>4</sup> The convocations, too, both of Canterbury and York, pronounced the king's marriage invalid, irregular, and contrary to the law of God, with which no human power had authority to dispense.<sup>5</sup> But Clement, lying still under the influence of the emperor, continued to summon the king to appear, either by himself or proxy, before his tribunal, at Rome; and the king, who knew that he could expect no fair trial there,

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\* See note [S] at the end of the volume. <sup>1</sup> Herbert. Burnet. <sup>2</sup> Wood, Hist. and Ant. Ox. lib. i. p. 225. <sup>3</sup> Burnet, vol. i. p. 6. <sup>4</sup> Rymer, vol. xix. p. 405. Burnet, vol. i. p. 95. <sup>5</sup> Rymer, vol. xiv. p. 454, 472.

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refused to submit to such a condition, and would not even admit of any citation, which he regarded as a high insult, and a violation of his royal prerogative. The father of Anne Boleyn, created earl of Wiltshire, carried to the pope the king's reasons for not appearing, by proxy; and, as the first instance of disrespect from England, refused to kiss his holiness' foot, which he very graciously held out to him for that purpose.<sup>1</sup>

The extremities to which Henry was pushed, both against the pope and the ecclesiastical order, were naturally disagreeable to cardinal Wolsey; and, as Henry foresaw his opposition, it is the most probable reason that can be assigned, for his renewing the prosecution against his ancient favourite. After Wolsey had remained some time at Asher, he was allowed to remove to Richmond, a palace which he had received, as a present, from Henry, in return for Hampton-Court: but the courtiers, dreading still his vicinity to the king, procured an order for him to remove to his see of York. The cardinal knew it was in vain to resist: he took up his residence at Cawood, in Yorkshire, where he rendered himself extremely popular in the neighbourhood, by his affability and hospitality;<sup>2</sup> but he was not allowed to remain long unmolested in this retreat. The earl of Northumberland received orders, without regard to Wolsey's ecclesiastical character, to arrest him for high treason, and to conduct him to London, in order to his trial. The cardinal, partly from the fatigues of his journey, partly from the agitation of his anxious mind, was seized with a disorder, which turned into a dysentery; and he was able, with some difficulty, to reach Leicester-abbey. When the abbot and the monks advanced to receive him with much respect and reverence, he told them, that he was come to lay his bones among them: and he immediately took to his bed, whence he never rose more. A little before he expired, he addressed himself, in the following words, to Sir William Kingston, constable of the Tower, who had him in custody: "I pray you, have me heartily recommended unto his royal majesty, and beseech him, on my behalf, to call to his remembrance, all matters that have passed between us, from the beginning, especially with regard to his business with the queen; and then will he know, in his conscience, whether I have offended him.

"He is a prince of a most royal carriage, and hath a princely heart; and rather than he will miss or want any part of his will, he will endanger the one half of his kingdom.

"I do assure you, that I have often kneeled before him, sometimes three hours together, to persuade him from his will and appetite; but could not prevail; had I but served God, as diligently as I have served the king, he would not have given me over, in my grey hairs. But this is the just reward that I must receive, for my indulgent pains and study, not re-

Nov. 28.

<sup>1</sup> Burnet, vol. i. p. 94. <sup>2</sup> Cavendish. Stowe, p. 554.

“ regarding my service to God, but only to my prince. Therefore, let me advise you, if you be one of the privy council, as by your wisdom you are fit, take care what you put into the king’s head: for you can never put it out again.”<sup>1</sup>

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Thus died this famous cardinal, whose character seems to have contained as singular a variety, as the fortune to which he was exposed. The obstinacy and violence of the king’s temper, may alleviate much of the blame which some of his favourite’s measures have undergone; and when we consider, that the subsequent part of Henry’s reign was much more criminal than that which had been directed by Wolsey’s councils, we shall be inclined to suspect those historians of partiality, who have endeavoured to load the memory of this minister with such violent reproaches. If, in foreign politics, he sometimes employed his influence over the king, for his private purposes, rather than his master’s service, which he boasted he had solely at heart, we must remember, that he had in view the papal throne; a dignity which, had he attained it, would have enabled him to make Henry a suitable return for all his favours. The cardinal of Amboise, whose memory is respected in France, always made this apology for his own conduct, which was, in some respects, similar to Wolsey’s; and we have reason to think, that Henry was well acquainted with the views by which his minister was influenced, and took a pride in promoting them. He much regretted his death, when informed of it; and always spoke favourably of his memory: a proof, that humour, more than reason, or any discovery of treachery, had occasioned the last persecutions against him.

A new session of parliament was held, together with a convocation; and the king here gave strong proofs of his extensive authority, as well as of his intention to turn it to the depression of the clergy. As an ancient statute, now almost obsolete, had been employed to ruin Wolsey, and render his exercise of the legatine power criminal, notwithstanding the king’s permission, the same law was now turned against the ecclesiastics. It was pretended, that every one who had submitted to the legatine court, that is, the whole church, had violated the statute of provisors; and the attorney-general, accordingly, brought an indictment against them.<sup>2</sup> The convocation knew, that it would be in vain to oppose reason or equity to the king’s arbitrary will, or plead that their ruin would have been the certain consequence of not submitting to Wolsey’s commission, which was procured by Henry’s consent, and supported by his authority. They chose, therefore, to throw themselves on the mercy of their sovereign; and they agreed to pay one hundred and eighteen thousand eight hundred and forty pounds for a pardon.<sup>3</sup> A confession was likewise extorted from them, that *the king was the*

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16th Jan.  
A parliament.

<sup>1</sup> Cavendish. <sup>2</sup> Antiq. Brit. Eccles. p. 325. Burnet, vol. i. p. 106. <sup>3</sup> Holingshed, p. 923.

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*protector and the supreme head of the church and clergy of England*; though some of them had the dexterity to get a clause inserted, which invalidated the whole submission, and which ran in these terms, *in so far as is permitted by the law of Christ*.

The commons, finding that a pardon was granted the clergy, began to be apprehensive for themselves, lest either they should afterwards be brought into trouble, on account of their submission to the legatine court, or a supply, in like manner, be extorted from them, in return for their pardon. They, therefore, petitioned the king to grant a remission to his lay subjects; but they met with a repulse. He told them, that if he ever chose to forgive their offence, it would be from his own goodness, not from their application, lest he should seem to be compelled to it. Some time after, when they despaired of obtaining this concession, he was pleased to issue a pardon to the laity; and the commons expressed great gratitude for that act of clemency.<sup>1</sup>

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By this strict execution of the statute of provisors, a great part of the profit, and still more of the power, of the court of Rome, was cut off; and the connexions between the pope and the English clergy were, in some measure, dissolved. The next session found both king and parliament in the same dispositions.

15th Jan.

Progress  
of the re-  
formation.

An act was passed against levying the annates, or first fruits;<sup>2</sup> being a year's rent of all the bishoprics that fell vacant: a tax, which was imposed by the court of Rome, for granting bulls to the new prelates, and which was found to amount to considerable sums. Since the second of Henry VII. no less than one hundred and sixty thousand pounds had been transmitted to Rome, on account of this claim; which the parliament, therefore, reduced to five per cent. on all the episcopal benefices. The better to keep the pope in awe, the king was intrusted with a power of regulating these payments, and of confirming or infringing this act at his pleasure: and it was voted, that any censures which should be passed, by the court of Rome, on account of that law, should be entirely disregarded; and that mass should be said, and the sacraments administered, as if no such censures had been issued.

This session the commons preferred to the king a long complaint against the abuses and oppressions of the ecclesiastical courts; and they were proceeding to enact laws for remedying them, when a difference arose, which put an end to the session, before the parliament had finished all their business. It was become a custom, for men to make such settlements, or trust-deeds of their lands, by will, that they defrauded not only the king, but all other lords, of their wards, marriages, and reliefs; and by the same artifice, the king was deprived of his premier seisin, and the profits of the livery, which were no inconsiderable branches of his revenue. Henry made a bill be drawn, to

<sup>1</sup> Hall's Chronicle. Holingshed, p. 923. Baker, p. 208. <sup>2</sup> Burnet, vol. i. Collect. No. 41. Strype, vol. i. p. 144.



moderate, not remedy altogether, this abuse: he was contented, that every man should have the liberty of disposing, in this manner, of the half of his land; and he told the parliament, in plain terms, "If they would not take a reasonable thing, when it was offered, he would search out the extremity of the law, and then would not offer them so much again." The lords came willingly into his terms; but the commons rejected the bill: a singular instance, where Henry might see that his power and authority, though extensive, had yet some boundaries. The commons, however, found reason to repent of their victory. The king made good his threats; he called together the judges and ablest lawyers, who argued the question in chancery; and it was decided, that a man could not, by law, bequeath any part of his lands, in prejudice of heirs.<sup>1</sup>

The parliament, being again assembled, after a short prorogation, the king caused the two oaths to be read to them, that which the bishops took to the pope, and that to the king, on their installation; and, as a contradiction might be suspected between them, while the prelates seemed to swear allegiance to two sovereigns,<sup>2</sup> the parliament showed their intention of abolishing the oath to the pope, when their proceedings were suddenly stopped by the breaking out of the plague, at Westminster, which occasioned a prorogation. It is remarkable, that one Temse ventured, this session, to move, that the house should address the king to take back the queen, and stop the prosecution of his divorce. This motion made the king send for Audley, the speaker, and explain to him the scruples with which his conscience had long been burdened; scruples, he said, which had proceeded from no wanton appetite, which had arisen after the fervours of youth were past, and which were confirmed by the concurring sentiments of all the learned societies in Europe. Except in Spain and Portugal, he added, it was never heard of, that any man had espoused two sisters; but he himself had the misfortune, he believed, to be the first Christian man, that had ever married his brother's widow.<sup>3</sup>

After the prorogation, Sir Thomas More, the chancellor, foreseeing that all the measures of the king and parliament led to a breach with the church of Rome, and to an alteration of religion, with which his principles would not permit him to concur, desired leave to resign the great seal; and he descended from his high station, with more joy and alacrity, than he had mounted up to it. The austerity of this man's virtue, and the sanctity of his manners, had nowise encroached on the gentleness of his temper, or even diminished that frolic and gaiety, to which he was naturally inclined. He sported with all the varieties of fortune, into which he was thrown; and neither the pride, naturally attending a high station, nor the melancholy in-

<sup>1</sup> Burnet, vol. i. p. 116. Hall. Parliamentary History. <sup>2</sup> Burnet, vol. i. p. 123, 124. <sup>3</sup> Herbert. Hall. fol. 205.

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cident to poverty and retreat, could ever lay hold of his serene and equal spirit. While his family discovered symptoms of sorrow, on laying down the grandeur and magnificence, to which they had been accustomed, he drew a subject of mirth from their distresses, and made them ashamed of losing even a moment's cheerfulness, on account of such trivial misfortunes. The king, who had entertained a high opinion of his virtue, received his resignation with some difficulty; and he delivered the great seal, soon after, to Sir Thomas Audley.

During these transactions in England, and these invasions of the papal and ecclesiastical authority, the court of Rome was not without solicitude; and she entertained just apprehensions of losing entirely her authority in England, the kingdom which, of all others, had long been the most devoted to the holy see, and which had yielded it the most ample revenue. While the imperial cardinals pushed Clement to proceed to extremities against the king, his more moderate and impartial counsellors represented to him the indignity of his proceedings; that a great monarch, who had signalized himself, both by his pen and his sword, in the cause of the pope, should be denied a favour, which he demanded on such just grounds, and which had scarcely ever, before, been refused to any person, of his rank and station. Notwithstanding these remonstrances, the queen's appeal was received at Rome; the king was cited to appear; and several consistories were held, to examine the validity of their marriage. Henry was determined not to send any proxy, to plead his cause before this court: he only despatched Sir Edward Karne and Dr. Bonner, in quality of excusators, so they were called, to carry his apology for not paying that deference to the papal authority. The prerogatives of his crown, he said, must be sacrificed, if he allowed appeals from his own kingdom; and, as the question regarded conscience, not power or interest, no proxy could supply his place, or convey that satisfaction which the dictates of his own mind alone could confer. In order to support himself in this measure, and add greater security to his

11th Oct.

intended defection from Rome, he procured an interview with Francis, at Boulogne and Calais, where he renewed his personal friendship, as well as public alliance, with that monarch, and concerted all measures for their mutual defence. He even employed arguments, by which, he believed, he had persuaded Francis to imitate his example, in withdrawing his obedience from the bishop of Rome, and administering ecclesiastical affairs, without having farther recourse to that see. And, being now fully determined in his own mind, as well as resolute to stand all consequences, he privately celebrated his marriage with

14th Nov.

Anne Boleyn, whom he had previously created marchioness of Pembroke. Rouland Lee, soon after raised to the bishopric of Coventry, officiated at the marriage. The duke of Norfolk, uncle to the new queen, her father, mother and brother, toge-

ther with Dr. Cranmer, were present at the ceremony.<sup>1</sup> Anne became pregnant, soon after her marriage; and this event both gave great satisfaction to the king, and was regarded, by the people, as a strong proof of the queen's former modesty and virtue.

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The parliament was again assembled; and Henry, in conjunction with the great council of the nation, proceeded still in those gradual and secure steps, by which they loosened their connexions with the see of Rome, and repressed the usurpation of the Roman pontiff. An act was made against all appeals to Rome, in causes of matrimony, divorces, wills, and other suits, cognizable in ecclesiastical courts—appeals, esteemed dishonourable to the kingdom, by subjecting it to a foreign jurisdiction, and found to be very vexatious, by the expense and the delay of justice, which necessarily attended them.<sup>2</sup> The more to show his disregard to the pope, Henry, finding the new queen's pregnancy to advance, publicly owned his marriage; and, in order to remove all doubts, with regard to its lawfulness, he prepared measures for declaring, by a formal sentence, the invalidity of his marriage with Catharine; a sentence which ought, naturally, to have preceded his espousing of Anne.<sup>3</sup>

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4th Feb.  
A parliament.

April 12.

The king, even amidst his scruples and remorse, on account of his first marriage, had always treated Catharine with respect and distinction; and he endeavoured, by every soft and persuasive art, to engage her to depart from her appeal to the court of Rome, and her opposition to his divorce. Finding her obstinate in maintaining the justice of her cause, he had totally forborne all visits and intercourse with her, and had desired her to make choice of any one of his palaces, in which she should please to reside. She had fixed her abode, for some time, at Amphyll, near Dunstable; and it was in this latter town that Cranmer, now created archbishop of Canterbury, on the death of Warham,\* was appointed to open his court, for examining the validity of her marriage. The near neighbourhood of the place was chosen, in order to deprive her of all plea of ignorance; and as she made no answer to the citation, either by herself or proxy, she was declared *contumacious*, and the primate proceeded to the examination of the cause. The evidences of Arthur's consummation of his marriage were anew produced; the opinions of the universities were read, together with the judgment pronounced, two years before, by the convocations both of Canterbury and York; and after these preliminary steps, Cranmer proceeded to a sentence, and annulled the king's marriage with Catharine, as unlawful and invalid. By a subsequent sentence, he ratified the marriage with Anne Boleyn, who soon after, was publicly crowned queen, with all the pomp and dignity suited to that ceremony.<sup>4</sup> To complete the king's satisfaction, on the conclusion of this intricate and

20th May.

<sup>1</sup> Herbert, p. 340, 341. <sup>2</sup> 24 Hen. VIII. c. 12. <sup>3</sup> Collier, vol. ii. p. 31. and Records, No. 8. <sup>4</sup> See note [T] at the end of the volume. <sup>5</sup> Heylin, p. 6.

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7th Sept.

vexatious affair, she was safely delivered of a daughter, who received the name of Elizabeth, and who, afterwards, swayed the sceptre with such renown and felicity. Henry was so much delighted with the birth of this child, that, soon after, he conferred on her the title of princess of Wales;<sup>1</sup> a step somewhat irregular, as she could only be presumptive, not apparent heir of the crown. But he had, during his former marriage, thought proper to honour his daughter Mary with that title; and he was determined to bestow on the offspring of his present marriage the same mark of distinction, as well as to exclude the elder princess from all hopes of the succession. His regard for the new queen seemed rather to increase than diminish, by his marriage; and all men expected to see the entire ascendant of one, who had mounted a throne, from which her birth had set her at so great a distance, and who, by a proper mixture of severity and indulgence, had long managed so intractable a spirit as that of Henry. In order to efface, as much as possible, all marks of his first marriage, lord Mountjoy was sent to the unfortunate and divorced queen, to inform her, that she was thenceforth to be treated only as princess dowager of Wales; and all means were employed to make her acquiesce in that determination. But she continued obstinate in maintaining the validity of her marriage; and she would admit no person to her presence, who did not approach her with the accustomed ceremonial. Henry, forgetting his wonted generosity towards her, employed menaces against such of her servants as complied with her commands, in this particular; but was never able to make her relinquish her title and pretensions.<sup>2</sup>

When intelligence was conveyed to Rome of these transactions, so injurious to the authority and reputation of the holy see, the conclave was in a rage, and all the cardinals, of the imperial faction, urged the pope to proceed to a definitive sentence, and to dart his spiritual thunders against Henry. But Clement proceeded no farther than to declare the nullity of Cranmer's sentence, as well as that of Henry's second marriage, threatening him with excommunication, if, before the first of November ensuing, he did not replace every thing in the condition in which it formerly stood.<sup>3</sup> An event had happened, from which the pontiff expected a more amicable conclusion of the difference, and which hindered him from carrying matters to extremity against the king.

The pope had claims upon the dutchy of Ferrara for the sovereignty of Reggio and Modena;<sup>4</sup> and having submitted his pretensions to the arbitration of the emperor, he was surprised to find a sentence pronounced against him. Enraged at this disappointment, he hearkened to proposals of amity from Francis; and when that monarch made overtures of marrying the duke

<sup>1</sup> Burnet, vol. i. p. 134.    <sup>2</sup> Herbert, p. 326. Burnet, vol. i. p. 132.    <sup>3</sup> Le Grand, vol. iii. p. 566.    <sup>4</sup> Burnet, vol. ii. p. 133. Guicciardini.



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of Orleans, his second son, to Catharine, of Medicis, niece of the pope, Clement gladly embraced an alliance, by which his family was so much honoured. An interview was even appointed, between the pope and French king, at Marseilles; and Francis, as a common friend, there employed his good offices, in mediating an accommodation between his new ally and the king of England.

Had this connexion of France with the court of Rome taken place a few years sooner, there had been little difficulty in adjusting the quarrel with Henry. The king's request was an ordinary one; and the same plenary power of the pope, which had granted a dispensation for his espousing of Catharine, could easily have annulled the marriage. But, in the progress of the quarrel, the state of affairs was much changed, on both sides. Henry had shaken off much of that reverence, which he had early imbibed, for the apostolic see; and finding that his subjects, of all ranks, had taken part with him, and willingly complied with his measures, for breaking off foreign dependence, he had begun to relish his spiritual authority, and would scarcely, it was apprehended, be induced to renew his submissions to the Roman pontiff. The pope, on the other hand, now ran a manifest risk of infringing his authority by a compliance with the king; and as a sentence of divorce could no longer be rested on nullities in Julius's bull, but would be construed as an acknowledgment of papal usurpations, it was foreseen that the Lutherans would thence take occasion of triumph, and would persevere more obstinately in their present principles. But, notwithstanding these obstacles, Francis did not despair of mediating an agreement. He observed, that the king had still some remains of prejudice, in favour of the catholic church, and was apprehensive of the consequences, which might ensue, from too violent innovations. He saw the interest that Clement had, in preserving the obedience of England, which was one of the richest jewels in the papal crown. And he hoped that these motives, on both sides, would facilitate a mutual agreement, and would forward the effects of his good offices.

Francis first prevailed on the pope to promise, that if the king would send a proxy to Rome, and thereby submit his cause to the holy see, he should appoint commissioners to meet at Cambray, and form the process; and he should, immediately afterwards, pronounce the sentence of divorce required of him. Bellay, bishop of Paris, was next despatched to London, and obtained a promise from the king, that he would submit his cause to the Roman consistory, provided the cardinals of the imperial faction were excluded from it. The prelate carried this verbal promise to Rome; and the pope agreed, that if the king would sign a written agreement, to the same purpose, his demands should be fully complied with. A day was appointed for the return of the messengers: and all Europe regarded this affair, which had threatened a violent rupture between England

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King's financial breach  
with  
Rome.

CHAP. and the Romish church, as drawing towards an amicable conclusion.<sup>1</sup> But the greatest affairs often depend on the most frivolous incidents. The courier, who carried the king's written promise.

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March 23. The courier, who carried the king's written promise, was detained, beyond the day appointed: news was brought to Rome, that a libel had been published, in England, against the court of Rome, and a farce acted, before the king, in derision of the pope and cardinals.<sup>2</sup> The pope and cardinals entered into the consistory, inflamed with anger; and, by a precipitate sentence, the marriage of Henry and Catharine was pronounced valid, and Henry declared to be excommunicated, if he refused to adhere to it. Two days after, the courier arrived: and Clement, who had been hurried from his usual prudence, found, that though he heartily repented of this hasty measure, it would be difficult for him to retract it, or replace affairs on the same footing as before.

15th Jan. It is not probable that the pope, had he conducted himself with ever so great moderation and temper, could hope, during the lifetime of Henry, to have regained much authority or influence in England. That monarch was of a temper, both impetuous and obstinate; and having proceeded so far, in throwing off the papal yoke, he never could again have been brought, tamely, to bend his neck to it. Even at the time when he was negotiating a reconciliation with Rome, he either entertained so little hopes of success, or was so indifferent about the event, that he had assembled a parliament, and continued to enact laws totally destructive of the papal authority. The people had been prepared, by degrees, for this great innovation. Each preceding session had retrenched somewhat from the power and profits of the pontiff. Care had been taken, during some years, to teach the nation, that a general council was much superior to a pope. But now a bishop preached every Sunday at Paul's Cross, in order to inculcate the doctrine, that the pope was entitled to no authority at all, beyond the bounds of his own diocess.<sup>3</sup> The proceedings of the parliament showed, that they had entirely adopted this opinion; and there is reason to believe, that the king, after having procured a favourable sentence from Rome, which would have removed all doubts, with regard to his second marriage and the succession, might indeed have lived on terms of civility with the Roman pontiff, but never would have surrendered to him any considerable share of his assumed prerogative. The importance of the laws passed this session, even before intelligence arrived of the violent resolutions taken at Rome, is sufficient to justify this opinion.

A parliament.

All payments made to the apostolic chamber; all provisions, bulls, dispensations, were abolished: monasteries were subjected to the visitation and government of the king alone: the law for punishing heretics was moderated; the ordinary was prohibited from imprisoning or trying any person, upon suspicion

<sup>1</sup> Father Paul, lib. 1.

<sup>2</sup> Ibid.

<sup>3</sup> Burnet, vol. i. p. 144.

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alone, without presentment by two lawful witnesses; and it was declared, that to speak against the pope's authority, was no heresy: bishops were to be appointed by a *congé d'élire* from the crown; or, in case of the dean and chapter's refusal, by letters patent; and no recourse was to be had to Rome for palls, bulls, or provisions: Campeggio and Ghinucci, two Italians, were deprived of the bishoprics of Salisbury and Worcester, which they had hitherto enjoyed:<sup>1</sup> the law, which had been formerly made against paying annates, or first fruits, but which had been left in the king's power to suspend or enforce, was finally established: and a submission, which was exacted two years before, from the clergy, and which had been obtained with great difficulty, received, this session, the sanction of parliament.<sup>2</sup> In this submission, the clergy acknowledged, that convocations ought to be assembled, by the king's authority only; they promise to enact no new canons, without his consent; and they agree, that he should appoint thirty-two commissioners, in order to examine the old canons, and abrogate such as should be found prejudicial to his royal prerogative.<sup>3</sup> An appeal was also allowed, from the bishop's court to the king in chancery.

But the most important law, passed this session, was that which regulated the succession to the crown: the marriage of the king with Catharine was declared unlawful, void, and of no effect: the primate's sentence, annulling it, was ratified: and the marriage with queen Anne was established and confirmed. The crown was appointed to descend to the issue of this marriage, and failing them, to the king's heirs for ever. An oath was likewise enjoined, to be taken in favour of this order of succession, under the penalty of imprisonment, during the king's pleasure, and forfeiture of goods and chattels. And all slander against the king, queen, or their issue, was subjected to the penalty of misprision of treason. After these compliances, the parliament was prorogued; and those acts, so contemptuous towards the pope, and so destructive of his authority, were passed, at the very time that Clement pronounced his hasty sentence against the king. Henry's resentment against queen Catharine, on account of her obstinacy, was the reason why he excluded her daughter from all hopes of succeeding to the crown, contrary to his first intentions, when he began the process of divorce, and of dispensation for a second marriage.

March 30.

The king found his ecclesiastical subjects as compliant as the laity. The convocation ordered, that the act against appeals to Rome, together with the king's appeal from the pope to a general council, should be affixed to the doors of all the churches in the kingdom; and they voted, that the bishop of Rome had, by the law of God, no more jurisdiction in England, than any other foreign bishop; and that the authority which he and his predecessors had there exercised, was only by usurpation, and

<sup>1</sup> Le Neve's Fasti Eccles. Angl. <sup>2</sup> 25 H. 8. c. 19. <sup>3</sup> Collier, vol. ii. p. 69, 70

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by the sufferance of English princes. Four persons, alone, opposed this vote, in the lower house, and one doubted. It passed unanimously in the upper. The bishops went so far, in their complaisance, that they took out new commissions, from the crown, in which all their spiritual and episcopal authority, was expressly affirmed to be derived ultimately from the civil magistrate, and to be entirely dependent on his good pleasure.<sup>1</sup>

The oath, regarding the succession, was generally taken throughout the kingdom. Fisher, bishop of Rochester, and Sir Thomas More, were the only persons, of note, that entertained scruples, with regard to its legality. Fisher was obnoxious, on account of some practices into which his credulity, rather than any bad intentions, seems to have betrayed him. But More was the person of greatest reputation, in the kingdom, for virtue and integrity; and, as it was believed that his authority would have influence on the sentiments of others, great pains were taken to convince him of the lawfulness of the oath. He declared, that he had no scruple, with regard to the succession, and thought that the parliament had full power to settle it: he offered to draw an oath himself, which would ensure his allegiance to the heir appointed; but he refused the oath prescribed by law; because, the preamble of that oath asserted the legality of the king's marriage with Anne, and thereby implied, that his former marriage, with Catharine, was unlawful and invalid. Cranmer, the primate, and Cromwell, now secretary of state, who highly loved and esteemed More, entreated him to lay aside his scruples; and their friendly importunity seemed to weigh more with him, than all the penalties attending his refusal.<sup>2</sup> He persisted, however, in a mild, though firm manner, to maintain his resolution; and the king, irritated against him, as well as Fisher, ordered both to be indicted upon the statute, and committed prisoners to the Tower.

3d Nov.

The parliament, being again assembled, conferred on the king the title of the only supreme *head*, on earth, of the church of England; as they had already invested him with all the real power belonging to it. In this memorable act, the parliament granted him power, or rather acknowledged his inherent power, "to visit, and repress, redress, reform, order, correct, restrain, or amend all errors, heresies, abuses, offences, contempts, and enormities, which fell under any spiritual authority, or jurisdiction."<sup>3</sup> They also declared it treason to attempt, imagine, or speak evil, against the king, queen, or his heirs, or to endeavour depriving them of their dignities or titles. They gave him a right to all the annates and tithes of benefices, which had formerly been paid to the court of Rome. They granted him a subsidy and a fifteenth. They attainted More and Fisher, for misprision of treason. And they completed the union of England and Wales, by giving, to that principality, all the benefit of the English laws.

<sup>1</sup> Collier's Eccles. Hist. vol. ii. <sup>2</sup> Burnet, vol. i. p. 156. <sup>3</sup> 26 H. 8. c. i.



Thus, the authority of the popes, like all exorbitant power, was ruined, by the excess of its acquisitions, and by stretching its pretensions beyond what it was possible for any human principles or prepossessions to sustain. Indulgences had, in former ages, tended extremely to enrich the holy see; but being openly abused, they served to excite the first commotions and opposition in Germany. The prerogative of granting dispensations had, also, contributed much to attach all the sovereign princes and great families in Europe to the papal authority; but meeting with an unlucky concurrence of circumstances, was now the cause why England separated herself from the Romish communion. The acknowledgment of the king's supremacy, introduced there a greater simplicity in the government, by uniting the spiritual with the civil power, and preventing disputes about limits, which never could exactly be determined, between the contending jurisdictions. A way was also prepared, for checking the exorbitances of superstition, and breaking those shackles, by which all human reason, policy, and industry, had so long been encumbered. The prince, it may be supposed, being head of the religion, as well as of the temporal jurisdiction of the kingdom, though he might sometimes employ the former as an engine of government, had no interest, like the Roman pontiff, in nourishing its excessive growth; and except when blinded by his own ignorance or bigotry, would be sure to retain it within tolerable limits, and prevent its abuses. And, on the whole, there followed, from this revolution, many beneficial consequences; though, perhaps neither foreseen nor intended, by the persons who had the chief hand in conducting it.

While Henry proceeded with so much order and tranquillity, in changing the national religion, and while his authority seemed entirely secure in England, he was held in some inquietude, by the state of affairs in Ireland and in Scotland.

The earl of Kildare was deputy of Ireland, under the duke of Richmond, the king's natural son, who bore the title of lieutenant; and, as Kildare was accused of some violences against the family of Ossory, his hereditary enemies, he was summoned to answer for his conduct. He left his authority in the hands of his son, who, hearing that his father was thrown into prison, and was in danger of his life, immediately took up arms; and, joining himself to Oneale, Ocarrol, and other Irish nobility, committed many ravages, murdered Allen, archbishop of Dublin, and laid siege to that city. Kildare, meanwhile, died in prison, and his son, persevering in his revolt, made applications to the emperor, who promised him assistance. The king was obliged to send over some forces to Ireland, which so harassed the rebels, that this young nobleman, finding the emperor backward in fulfilling his promises, was reduced to the necessity of surrendering himself prisoner to lord Leonard Gray, the new deputy, brother to the marquis of Dorset. He was carried over to England, together with his five uncles; and, after trial and conviction, they

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were all brought to public justice; though two of the uncles, in order to save the family, had pretended to join the king's party.

The earl of Angus had acquired the entire ascendant in Scotland; and having gotten possession of the king's person, then in early youth, he was able, by means of that advantage, and by employing the power of his own family, to retain the reins of government. The queen dowager, however, his consort, bred him great disturbance. For, having separated herself from him, on account of some jealousies and disgusts, and having procured a divorce, she had married another man, of quality, of the name of Stuart; and she joined all the discontented nobility, who opposed Angus's authority. James himself was dissatisfied with the slavery to which he was reduced; and, by secret correspondence, he incited, first Walter Scot, then the earl of Lenox, to attempt, by force of arms, the freeing him from the hands of Angus. Both enterprises failed of success; but James, impatient of restraint, found means, at last, of escaping to Stirling, where his mother then resided; and having summoned all the nobility to attend him, he overturned the authority of the Douglases, and obliged Angus and his brother to fly into England, where they were protected by Henry. The king of Scotland, being now arrived at years of maturity, took the government into his own hands; and employed himself, with great spirit and valour, in repressing those feuds, ravages, and disorders, which, though they disturbed the course of public justice, served to support the martial spirit of the Scots, and contributed, by that means, to maintain national independency. He was desirous of renewing the ancient league with the French nation; but finding Francis in close union with England, and, on that account, somewhat cold in hearkening to his proposals, he received the more favourably the advances of the emperor, who hoped, by means of such an ally, to breed disturbance to England. He offered the Scottish king the choice of three princesses, his own near relations, and all of the name of Mary; his sister, the dowager of Hungary, his niece, a daughter of Portugal, or his cousin, the daughter of Henry, whom he pretended to dispose of, unknown to her father. James was more inclined to the latter proposal, had it not, upon reflection, been found impracticable; and his natural propensity to France, at last prevailed over all other considerations. The alliance with Francis, necessarily engaged James to maintain peace with England. But, though invited by his uncle, Henry, to confer with him, at Newcastle, and concert common measures, for repressing the ecclesiastics in both kingdoms, and shaking off the yoke of Rome, he could not be prevailed on, by entering England, to put himself in the king's power. In order to have a pretext for refusing the conference, he applied to the pope, and obtained a brief, forbidding him to engage in any personal negotiations, with an enemy of the holy see. From these measures, Henry easily concluded, that he could very little depend on the friendship of his nephew. But those events took not place, till some time after our present period

## CHAPTER XXXI.

Religious Principles of the People—of the King—of the Ministers—Farther progress of the Reformation—Sir Thomas More—The Maid of Kent—Trial and Execution of Fisher, Bishop of Rochester—of Sir Thomas More—King excommunicated—Death of Queen Catharine—Suppression of the lesser Monasteries—A Parliament—A Convocation—Translation of the Bible—Disgrace of Queen Anne—Her Trial—and Execution—A Parliament—A Convocation—Discontents among the People—Insurrection—Birth of Prince Edward, and Death of Queen Jane—Suppression of the greater Monasteries—Cardinal Pole.

THE ancient and almost uninterrupted opposition of interests between the laity and clergy in England, and between the English clergy and the court of Rome, had sufficiently prepared the nation for a breach with the sovereign pontiff; and men had penetration enough to discover abuses, which were plainly calculated for the temporal advantages of the hierarchy, and which they found destructive of their own. These subjects seemed proportioned to human understanding; and even the people, who felt the power of interest in their own breast, could perceive the purpose of those numerous inventions, which the interested spirit of the Roman pontiff had introduced into religion. But when the reformers proceeded thence to dispute concerning the nature of the sacraments, the operations of grace, the terms of acceptance with the Diety, men were thrown into amazement, and were, during some time, at a loss how to choose their party. The profound ignorance, in which both the clergy and laity formerly lived, and their freedom from theological altercations, had produced a sincere, but indolent acquiescence in received opinions; and the multitude were neither attached to them by topics of reasoning, nor by those prejudices and antipathies against opponents, which have ever a more natural and powerful influence over them. As soon, therefore, as a new opinion was advanced, supported by such an authority as to call up their attention, they felt their capacity totally unfitted for such disquisitions; and they perpetually fluctuated between the contending parties. Hence the quick and violent movements by which the people were agitated, even in the most opposite directions: hence their seeming prostitution, in sacrificing to present power the most sacred principles: and hence the rapid progress, during some time, and the sudden, as well as entire check, soon after, of the new doctrines. When men were once settled in their particular sects, and had fortified themselves in a habitual detestation of those, who were denominated heretics, they adhered, with more obstinancy, to the principles of their education; and the limits of the two religions, thenceforth, remained fixed and unchangeable.

Nothing more forwarded the first progress of the reformers, than the offer which they made, of submitting all religious doc-

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tries to private judgment, and the summons given every one to examine the principles formerly imposed upon him. Though the multitude were totally unqualified for this undertaking, they yet were highly pleased with it. They fancied that they were exercising their judgment, while they opposed, to the prejudices of ancient authority, more powerful prejudices of another kind. The novelty itself of the doctrines; the pleasure of an imaginary triumph in dispute; the fervent zeal of the reformed preachers; their patience, and even alacrity, in suffering persecution, death and torments; a disgust at the restraints of the old religion; an indignation against the tyranny and interested spirit of the ecclesiastics; these motives were prevalent with the people, and by such considerations were men so generally induced, during that age, to throw off the religion of their ancestors.

But in proportion as the practice of submitting religion to private judgment was acceptable to the people, it appeared, in some respects, dangerous to the rights of sovereigns, and seemed to destroy that implicit obedience, on which the authority of the civil magistrate is chiefly founded. The very precedent, of shaking so ancient and deep founded an establishment as that of the Romish hierarchy, might, it was apprehended, prepare the way for other innovations. The republican spirit which naturally took place among the reformers, increased this jealousy. The furious insurrections of the populace, excited by Muncer and other anabaptists in Germany,<sup>1</sup> furnished a new pretence for decrying the reformation. Nor ought we to conclude, because protestants, in our time, prove as dutiful subjects as those of any other communion, that therefore such apprehensions were altogether without any shadow of plausibility. Though the liberty of private judgment be tendered to the disciples of the reformation, it is not in reality accepted of; and men are generally contented to acquiesce implicitly in those establishments, however new, into which their early education has thrown them.

No prince in Europe was possessed of such absolute authority as Henry, not even the pope himself, in his own capital, where he united both the civil and ecclesiastical powers;\* and there was small likelihood that any doctrine, which lay under the imputation of encouraging sedition, could ever pretend to his favour and countenance. But besides this political jealousy, there was another reason which inspired this imperious monarch with an aversion to the reformers. He had early declared his sentiments against Luther; and having entered the lists in those scholastic quarrels, he had received, from his courtiers and theologians, infinite applause for his performance. Elated by his imaginary success, and blinded by a natural arrogance and obstinacy of temper, he had entertained the most lofty opinion of his own erudition; and he received, with impatience, mixed with

Of the  
king.

<sup>1</sup> Sleidan, lib. 4 and 5.

\* See note [U] at the end of the volume.



contempt, any contradiction to his sentiments. Luther, also, had been so imprudent, as to treat, in a very indecent manner, his royal antagonist; and, though he afterwards made the most humble submissions to Henry, and apologized for the vehemence of his former expressions, he never could efface the hatred which the king had conceived against him and his doctrines.—The idea of heresy still appeared detestable, as well as formidable to that prince; and, whilst his resentment against the see of Rome had corrected one considerable part of his early prejudices, he had made it a point of honour never to relinquish the remainder. Separate, as he stood, from the catholic church, and from the Roman pontiff, the head of it, he still valued himself, on maintaining the catholic doctrine, and on guarding, by fire and sword, the imagined purity of his speculative principles.

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Henry's ministers and courtiers were of as motley a character as his conduct; and seemed to waver, during his whole reign, between the ancient and the new religion. The queen, engaged by interest as well as inclination, favoured the cause of the reformers; Cromwell, who was created secretary of state, and who was daily advancing in the king's confidence, had embraced the same views; and as he was a man of prudence and abilities, he was able, very effectually, though in a covert manner, to promote the late innovations; Cranmer, archbishop of Canterbury, had secretly adopted the protestant tenets; and he had gained Henry's friendship by his candour and sincerity; virtues which he possessed in as eminent a degree, as those times, equally distracted with faction and oppressed by tyranny, could easily permit. On the other hand, the duke of Norfolk adhered to the ancient faith; and by his high rank, as well as by his talents both for peace and war, he had great authority in the king's council: Gardiner, lately created bishop of Winchester, had enlisted himself in the same party; and the suppleness of his character, and dexterity of his conduct, had rendered him extremely useful to it.

All these ministers, while they stood in the most irreconcilable opposition of principles to each other, were obliged to disguise their particular opinions, and to pretend an entire agreement with the sentiments of their master. Cromwell and Cranmer still carried the appearance of a conformity to the ancient speculative tenets; but they artfully made use of Henry's resentment to widen the breach with the see of Rome. Norfolk and Gardiner feigned an assent to the king's supremacy, and to his renunciation of the sovereign pontiff; but they encouraged his passion for the catholic faith; and instigated him to punish those daring heretics, who had presumed to neglect his theological principles. Both sides hoped, by their unlimited compliance, to bring him over to their party: the king, meanwhile, who held the balance between the factions, was enabled, by the courtship paid him, both by protestants and catholics, to assume an unbounded authority: and though, in all his measures, he was

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really driven by his ungoverned humour, he casually steered a course, which led more certainly to arbitrary power, than any which the most profound politics could have traced out to him. Artifice, refinement, and hypocrisy, in his situation, would have put both parties on their guard against him, and would have taught them reserve in complying with a monarch, whom they could never hope thoroughly to have gained: but while the frankness, sincerity, and openness of Henry's temper, were generally known, as well as the dominion of his furious passions, each side dreaded to lose him by the smallest opposition, and flattered themselves that a blind compliance with his will would throw him cordially and fully into their interests.

The ambiguity of the king's conduct, though it kept the courtiers in awe, served, in the main, to encourage the protestant doctrine among his subjects, and promoted that spirit of innovation, with which the age was generally seized, and which nothing but an entire uniformity, as well as a steady severity in the administration, could be able to repress. There were some Englishmen, Tindal, Joye, Constantine, and others, who, dreading the exertion of the king's authority, had fled to Antwerp,<sup>1</sup> where the great privileges, possessed by the Low Country provinces, served, during some time, to give them protection.—

Farther  
progress  
of the re-  
formation.

These men employed themselves in writing English books against the corruptions of the church of Rome; against images, relics, pilgrimages; and they excited the curiosity of men with regard to that question, the most important in theology, the terms of acceptance with the Supreme Being. In conformity to the Lutherans, and other protestants, they asserted that salvation was obtained by faith alone; and that the most infallible road to perdition,<sup>2</sup> was a reliance on *good works*; by which terms they understood, as well the moral duties, as the ceremonial and monastic observances. The defenders of the ancient religion, on the other hand, maintained the efficacy of *good works*; but though they did not exclude, from this appellation, the social virtues, it was still the superstitions, gainful to the church, which they chiefly extolled and recommended. The books, composed by these fugitives, having stolen over to England, began to make converts every where; but it was a translation of the scriptures, by Tindal, that was esteemed the most dangerous to the established faith. The first edition to this work, composed with little accuracy, was found liable to considerable objections; and Tindal, who was poor, and could not afford to lose a great part of the impression, was longing for an opportunity of correcting his errors, of which he had been made sen-

<sup>1</sup> Burnet, vol. i. p. 159. <sup>2</sup> Sacrilegium est et impietas velle placere Deo per opera et non per solam fidem. *Luther adversus regem*. Ita vides quam dives sit homo Christianus sive baptizatus, qui etiam volens non potest perdere salutem suam quantiscunque peccatis. Nulla enim peccata possunt eum damnare nisi incredulitas. *Id. de captivitate Babylonica*.

sible. Tonsal, then bishop of London, soon after of Durham, a man of great moderation, being desirous to discourage, in the gentlest manner, these innovations, gave private orders for buying up all the copies that could be found, at Antwerp; and he burned them publicly in cheapside. By this measure he supplied Tindal with money, enabled him to print a new and correct edition of his work, and gave great scandal to the people, in thus committing to the flames the word of God.<sup>1</sup>

The disciples of the reformation met with little severity, during the ministry of Wolsey, who, though himself a clergyman, bore too small a regard to the ecclesiastical order to serve as an instrument of their tyranny: it was even an article of impeachment against him,<sup>2</sup> that, by his connivance, he had encouraged the growth of heresy, and that he had protected and acquitted some notorious offenders. Sir Thomas More, who succeeded Wolsey, as chancellor, is at once an object deserving our compassion, and an instance of the usual progress of men's sentiments, during that age. This man, whose elegant genius and familiar acquaintance with the noble spirit of antiquity, had given him very enlarged sentiments, and who had, in his early years, advanced principles which, even at present, would be deemed somewhat too free, had, in the course of events, been so irritated by polemics, and thrown into such a superstitious attachment to the ancient faith, that few inquisitors have been guilty of greater violence in their prosecution of heresy. Though adorned with the gentlest manners, as well as the purest integrity, he carried to the utmost height his aversion to heterodoxy; and James Bainham, in particular, a gentleman of the Temple, experienced from him the greatest severity. Bainham, accused of favouring the new opinions, was carried to More's house; and, having refused to discover his accomplices, the chancellor ordered him to be whipped in his presence, and afterwards sent him to the Tower, where he himself saw him put to the torture. The unhappy gentleman, overcome by all these severities, abjured his opinions; but feeling afterwards the deepest compunction for his apostacy, he openly returned to his former tenets, and even courted the crown of martyrdom. He was condemned as an obstinate and relapsed heretic, and was burned in Smithfield.<sup>3</sup>

Many were brought into the bishop's courts, for offences which appear trivial, but which were regarded as symbols of the party: some for teaching their children the Lord's prayer, in English; others for reading the New Testament in that language, or for speaking against pilgrimages. To harbour the persecuted preachers, to neglect the fasts of the church, to declaim against the vices of the clergy, were capital offences. One Thomas Bilney, a priest, who had embraced the new doc-

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Sir Thomas More.

<sup>1</sup> Hall, fol. 186. Fox, vol. i. p. 138. Burnet, vol. i. p. 159. <sup>2</sup> Articles of impeachment in Herbert. Burnet. <sup>3</sup> Fox. Burnet, vol. i. p. 165.

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trine, had been terrified into an abjuration; but was so haunted by remorse, that his friends dreaded some fatal effects of his despair. At last, his mind seemed to be more relieved; but this appearing calm proceeded only from the resolution which he had taken, of expiating his past offence, by an open confession of the truth, and by dying a martyr to it. He went through Norfolk, teaching the people to beware of idolatry, and of trusting, for their salvation, either to pilgrimages, or to the cowl of St. Francis, to the prayers of the saints, or to images. He was soon seized, tried in the bishop's court and condemned, as a relapsed heretic; and the writ was sent down to burn him. When brought to the stake, he discovered such patience, fortitude, and devotion, that the spectators were much affected with the horrors of his punishment; and some mendicant friars, who were present, fearing that his martyrdom would be imputed to them, and make them lose those alms, which they received from the charity of the people, desired him publicly to acquit them<sup>1</sup> of having any hand in his death. He willingly complied; and, by this meekness, gained the more on the sympathy of the people. Another person, still more heroic, being brought to the stake, for denying the real presence, seemed almost in a transport of joy; and he tenderly embraced the faggots which were to be the instruments of his punishment, as the means of procuring him eternal rest. In short, the tide turning towards the new doctrine, those severe executions, which, in another disposition of men's minds, would have sufficed to suppress it, now served only to diffuse it the more among the people, and to inspire them with horror against the unrelenting persecutors.

But, though Henry neglected not to punish the protestant doctrine, which he deemed heresy, his most formidable enemies, he knew, were the zealous adherents to the ancient religion, chiefly the monks, who, having their immediate dependence on the Roman pontiff, apprehended their own ruin to be the certain consequence of abolishing his authority, in England. Peyto, a friar, preaching before the king, had the assurance to tell him, "That many lying prophets had deceived him; but he, as a true Micajah, warned him, that the dogs would lick his blood, as they had done Ahab's."<sup>2</sup> The king took no notice of the insult, but allowed the preacher to depart in peace. Next Sunday he employed Dr. Corren, to preach before him; who justified the king's proceedings, and gave Peyto the appellations of a rebel, a slanderer, a dog, and a traitor. Elston, another friar, of the same house, interrupted the preacher, and told him that he was one of the lying prophets, who sought to establish, by adultery, the succession of the crown; but that he himself would justify all that Peyto had said. Henry silenced the petulant friar; but showed no other mark of resentment, than ordering Peyto and him to be summoned before the council, and to be

<sup>1</sup> Burnet, vol. i. p. 164.      <sup>2</sup> Strype, vol. i. p. 167.



rebuked for their offence.<sup>1</sup> He even here bore patiently some new instances of their obstinacy and arrogance: when the earl of Essex, a privy counsellor, told them, that they deserved, for their offence, to be thrown into the Thames, Elston replied, that the road to heaven lay as near by water as by land.<sup>2</sup>

But several monks were detected in a conspiracy, which, as it might have proved more dangerous to the king, was, on its discovery, attended with the more fatal consequences to themselves. Elizabeth Barton, of Aldington, in Kent, commonly called the *holy Maid of Kent*, had been subject to hysterical fits, which she threw her body into unusual convulsions; and having produced an equal disorder in her mind, made her utter strange sayings, which, as she was scarcely conscious of them, during the time, had soon after entirely escaped her memory. The silly people in the neighbourhood were struck with these appearances, which they imagined to be supernatural; and Richard Masters, vicar of the parish, a designing fellow, founded on them a project, from which he hoped to acquire both profit and consideration. He went to Warham, archbishop of Canterbury, then alive, and, having given him an account of Elizabeth's revelations, he so far wrought on that prudent, but superstitious prelate, as to receive orders from him to watch her in her trances, and carefully to note down all her future sayings. The regard paid her by a person of so high a rank soon rendered her still more the object of attention to the neighbourhood; and it was easy for Masters to persuade them, as well as the maid herself, that her ravings were inspirations of the Holy Ghost. Knavery, as is usual, soon after succeeding to delusion, she learned to counterfeit trances; and she then uttered, in an extraordinary tone, such speeches as were dictated to her by her spiritual director. Masters associated with him Dr. Bocking, a canon of Canterbury; and their design was, to raise the credit of an image of the Virgin, which stood in a chapel belonging to Masters, and to draw to it such pilgrimages as usually frequented the more famous images and relics. In prosecution of this design, Elizabeth pretended revelations, which directed her to have recourse to that image for a cure; and being brought before it, in the presence of a great multitude, she fell anew into convulsions; and, after distorting her limbs and countenance, during a competent time, she affected to have obtained a perfect recovery, by the intercession of the Virgin.<sup>3</sup> This miracle was soon bruited abroad; and the two priests, finding the imposture to succeed beyond their own expectations, began to extend their views, and to lay the foundation of more important enterprises. They taught their penitent to declaim against the new doctrines, which she denominated heresy; against innovations in ecclesiastical government; and against the king's intended di-

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The Maid  
of Kent.

<sup>1</sup> Collier, vol. ii. p. 86. Burnet, vol. i. p. 151. <sup>2</sup> Stowe, p. 562. <sup>3</sup> Stowe, p. 570. Blanket's Epitome of Chronicles.

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vorice from Catharine. She went so far as to assert, that if he prosecuted that design, and married another, he should not be a king a month longer, and should not, an hour longer, enjoy the favour of the Almighty, but should die the death of a villain. Many monks, throughout England, either from folly or roguery, or from faction, which is often a complication of both, entered into the delusion; and one Deering, a friar, wrote a book of the revelations and prophecies of Elizabeth.<sup>1</sup> Miracles were daily added, to increase the wonder, and the pulpit every where resounded with accounts of the sanctity and inspirations of the new prophetess. Messages were carried from her to queen Catharine, by which that princess was exhorted to persist in her opposition to the divorce; the pope's ambassadors gave encouragement to the popular credulity; and even Fisher, bishop of Rochester, though a man of sense and learning, was carried away by an opinion so favourable to the party which he had espoused.<sup>2</sup> The king, at last, began to think the matter worthy of his attention; and having ordered Elizabeth and her accomplices to be arrested, he brought them before the star-chamber, where they freely, without being put to the torture, made confession of their guilt. The parliament, in the session held the beginning of this year, passed an act of attainder against some who were engaged in this treasonable imposture;<sup>3</sup> and Elizabeth herself, Masters, Bocking, Deering, Rich, Risby, Gold, suffered for their crime. The bishop of Rochester, Abel, Addison, Lawrence, and others, were condemned for misprision of treason, because they had not discovered some criminal speeches, which they heard from Elizabeth:<sup>4</sup> and they were thrown into prison. The better to undeceive the multitude, the forgery of many of the prophetess' miracles was detected, and even the scandalous prostitution of her manners was laid open to the public. Those passions, which so naturally insinuate themselves amidst the warm intimacies maintained by the devotees of different sexes, had taken place between Elizabeth and her confederates; and it was found, that a door to her dormitory, which was said to have been miraculously opened, in order to give her access to the chapel, for the sake of frequent converse with heaven, had been contrived by Bocking and Masters, for less refined purposes.

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The detection of this imposture, attended with so many odious circumstances, both hurt the credit of the ecclesiastics, particularly the monks, and instigated the king to take vengeance on them. He suppressed three monasteries of the Observantine friars; and, finding that little clamour was excited by this act of power, he was the more encouraged to lay his rapacious hands on the remainder. Meanwhile, he exercised punishment on individuals, who were obnoxious to him. The parliament had

<sup>1</sup> Strype, vol. i. p. 181.    <sup>2</sup> Collier, vol. ii. p. 87.    <sup>3</sup> 25 Hen. VIII. c. 12.  
Burnet, vol. i. p. 149.    Hall, fol. 220.    <sup>4</sup> Godwin's Annals, p. 53.

made it treason, to endeavour depriving the king of his dignity or titles: they had lately added to his other titles that of supreme head of the church: it was inferred, that to deny his supremacy was treason; and many priors and ecclesiastics lost their lives for this new species of guilt. It was certainly a high instance of tyranny, to punish the mere delivery of a political opinion, especially one that nowise affected the king's temporal right, as a capital offence, though attended with no overt act: and the parliament, in passing this law, had overlooked all the principles, by which a civilized, much more a free people, should be governed: but the violence of changing, so suddenly, the whole system of government, and making it treason to deny what, during many ages, it had been heresy to assert, is an event which may appear somewhat extraordinary. Even the stern, unrelenting mind of Henry was, at first, shocked with these sanguinary measures; and he went so far as to change his garb and dress; pretending sorrow for the necessity by which he was pushed to such extremities. Still impelled, however, by his violent temper, and desirous of striking a terror into the whole nation, he proceeded, by making examples of Fisher and More, to consummate his lawless tyranny.

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John Fisher, bishop of Rochester, was a prelate, eminent for learning and morals, still more than for his ecclesiastical dignities, and for the high favour which he had long enjoyed with the king. When he was thrown into prison, on account of his refusing the oath, which regarded the succession, and his concealment of Elizabeth Barton's treasonable speeches, he had not only been deprived of all his revenues, but stripped of his very clothes, and, without consideration of his extreme age, he was allowed nothing but rags, which scarcely sufficed to cover his nakedness.<sup>1</sup> In this condition he lay in prison above a twelvemonth; when the pope, willing to recompense the sufferings of so faithful an adherent, created him a cardinal; though Fisher was so indifferent about that dignity, that even if the purple were lying at his feet, he declared that he would not stoop to take it. This promotion of a man, merely for his opposition to royal authority, roused the indignation of the king; and he resolved to make the innocent person feel the effects of his resentment. Fisher was indicted, for denying the king's su-  
22d June.  
premacv, was tried, condemned, and beheaded.

Trial and  
execution  
of Fisher,  
bishop of  
Rochester.

The execution of this prelate was intended as a warning to More, whose compliance, on account of his great authority, both abroad and at home, and his high reputation for learning and virtue, was anxiously desired by the king. That prince, also, bore as great personal affection and regard to More, as his imperious mind, the sport of passions, was susceptible of, towards a man who, in any particular, opposed his violent inclinations. But More could never be prevailed on to acknowledge any opinion,

Of Sir  
Thomas  
More.<sup>1</sup> Fuller's Church Hist. book v. p. 203.

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so contrary to his principles, as that of the king's supremacy; and though Henry exacted that compliance from the whole nation, there was, as yet, no law obliging any one to take an oath to that purpose. Rich, the solicitor-general, was sent to confer with More, then a prisoner, who kept a cautious silence, with regard to the supremacy: he was only inveigled to say, that any question, with regard to the law, which established that prerogative, was a two-edged sword: if a person answer one way, it will confound his soul; if another, it will destroy his body. No more was wanted to found an indictment of high treason against the prisoner. His silence was called malicious, and made a part of his crime; and these words, which had casually dropped from him, were interpreted as a denial of the supremacy.<sup>1</sup> Trials were mere formalities, during this reign: the jury gave sentence against More, who had long expected this fate, and who needed no preparation to fortify him against the terrors of death. Not only his constancy, but even his cheerfulness, nay, his usual facetiousness, never forsook him; and he made a sacrifice of his life to his integrity, with the same indifference that he maintained in any ordinary occurrence. When he was mounting the scaffold, he said to one, "Friend, help me up, and when I come down again, let me shift for myself." The executioner asked him forgiveness; he granted the request, but told him, "You will never get credit by beheading me, my neck is so short." Then laying his head on the block, he bade the executioner stay, till he put aside his beard: "For," said he, "it never committed treason." Nothing was wanting to the glory of this end, except a better cause, more free from weakness and superstition. But as the man followed his principles and sense of duty, however misguided, his constancy and integrity are not less the objects of our admiration. He was beheaded, in the fifty-third year of his age.

9th July.

When the execution of Fisher and More was reported at Rome, especially that of the former, who was invested with the dignity of cardinal, every one discovered the most violent rage against the king; and numerous libels were published, by the wits and orators of Italy, comparing him to Caligula, Nero, Domitian, and all the most unrelenting tyrants of antiquity. Clement VII. had died, about six months after he pronounced sentence against the king; and Paul III. of the name of Farnese, had succeeded to the papal throne. This pontiff, who, while cardinal, had always favoured Henry's cause, had hoped, that, personal animosities being buried with his predecessor, it might not be impossible to form an agreement with England: and the king himself was so desirous of accommodating matters, that, in a negotiation which he entered into with Francis, a little before this time, he required that that monarch should conciliate a friendship between him and the court of Rome. But Henry was ac-

<sup>1</sup> More's Life of Sir Thomas More. Herbert, p. 393.



customed to prescribe, not to receive terms ; and even while he was negotiating for peace, his usual violence often carried him to commit offences which rendered the quarrel totally incurable. The execution of Fisher was regarded by Paul as so capital an injury, that he immediately passed censures against the king, citing him and all his adherents to appear, in Rome, within ninety days, in order to answer for their crimes : if they failed, he excommunicated them ; deprived the king of his crown ; laid the kingdom under an interdict ; declared his issue, by Anne Boleyn, illegitimate ; dissolved all leagues, which any catholic princes had made with him ; gave his kingdom to an invader ; commanded the nobility to take arms against him ; freed his subjects from all oaths of allegiance ; cut off their commerce with foreign states ; and declared it lawful for any one to seize them, to make slaves of their persons, and to convert their effects to his own use.<sup>1</sup> But though these censures were passed, they were not, at that time, openly denounced : the pope delayed their publication till he should find an agreement with England entirely desperate, and till the emperor, who was, at that time, hard pressed by the Turks, and the protestant princes in Germany, should be in a condition to carry the sentence into execution.

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30th Aug.

King ex-  
communi-  
cated.

The king knew, that he might expect any injury which it should be in Charles's power to inflict ; and he, therefore, made it the chief object of his policy to incapacitate that monarch from wreaking his resentment upon him.<sup>2</sup> He renewed his friendship with Francis, and opened negotiations for marrying his infant daughter, Elizabeth, with the duke of Angoulême, third son of Francis. The two monarchs also made advances to the princes of the protestant league in Germany, ever jealous of the emperor's ambition : and Henry, besides remitting them some money, sent Fox, bishop of Hereford, as Francis did Bellay, lord of Langley, to treat with them. But during the first fervours of the reformation, an agreement in theological tenets was held, as well as a union of interests, to be essential to a good correspondence among states ; and though both Francis and Henry flattered the German princes with hopes of their embracing the confession of Augsburg, it was looked upon as a bad symptom of their sincerity, that they exercised such extreme rigour against all preachers of the reformation, in their respective dominions.<sup>3</sup> Henry carried the feint so far, that, while he thought himself the first theologian in the world, he yet invited over Melancthon, Bucer, Sturmius, Draco, and other German divines, that they might confer with him, and instruct him in the foundation of their tenets. These theologians were now of great importance in the world ; and no poet or philosopher, even in ancient Greece, where they were treated with most respect, had ever reached equal applause and admiration, with those wretched composers of metaphysical polemics. The German princes told the king,

<sup>1</sup> Saunders, p. 148.    <sup>2</sup> Herbert, p. 350, 351.    <sup>3</sup> Sleidan, lib. 10.

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that they could not spare their divines; and as Henry had no hopes of agreement with such zealous disputants, and knew that, in Germany, the followers of Luther would not associate with the disciples of Zuinglius, because, though they agreed in every thing else, they differed in some minute particulars, with regard to the eucharist, he was the more indifferent on account of this refusal. He could also foresee, that, even while the league of Smalcalde did not act in concert with him, they would always be carried by their interests to oppose the emperor: and the hatred, between Francis and that monarch, was so inveterate, that he deemed himself sure of a sincere ally, in one or other of these potentates.

1536.

6th Jan.  
Death of  
Queen Catharine.

During these negotiations, an incident happened, in England, which promised a more amicable conclusion of those disputes, and seemed even to open the way for a reconciliation between Henry and Charles. Queen Catharine was seized with a lingering illness, which, at last, brought her to her grave: she died, at Kimbolton, in the county of Huntingdon, in the fiftieth year of her age. A little before she expired, she wrote a very tender letter to the king; in which she gave him the appellation of *her most dear lord, king, and husband*. She told him, that as the hour of her death was now approaching, she laid hold of this last opportunity, to inculcate on him the importance of his religious duty, and the comparative emptiness of all human grandeur and enjoyment: that, though his fondness towards these perishable advantages had thrown her into many calamities, as well as created to himself much trouble, she yet forgave him all past injuries, and hoped that his pardon would be ratified in heaven: and that she had no other request to make, than to recommend to him his daughter, the sole pledge of their loves; and to crave his protection for her maids and servants. She concluded with these words—*I make this vow, that mine eyes desire you above all things.*<sup>1</sup> The king was touched, even to the shedding of tears, by this last tender proof of Catharine's affection; but queen Anne is said to have expressed her joy for the death of a rival, beyond what decency or humanity could permit.<sup>2</sup>

The emperor thought, that as the demise of his aunt had removed all foundation of personal animosity between him and Henry, it might not now be impossible to detach him from the alliance of France, and to renew his own confederacy with England, from which he had formerly reaped so much advantage. He sent Henry proposals for a return to ancient amity, upon these conditions;<sup>3</sup> that he should be reconciled to the see of Rome, that he should assist him in his war with the Turks, and that he should take part with him against Francis, who now threatened the dutchy of Milan. The king replied, that he was willing to be on good terms with the emperor, provided that

<sup>1</sup> Herbert, p. 403.    <sup>2</sup> Burnet, vol. i. p. 192.    <sup>3</sup> Du Bellay, liv. v. Herbert. Burnet, vol. iii. in Col. No. 50.

prince would acknowledge that the former breach of friendship came entirely from himself: as to the conditions proposed, the proceedings against the bishop of Rome were so just, and so fully ratified by the parliament of England, that they could not now be revoked; when Christian princes should have settled peace among themselves, he would not fail to exert that vigour which became him, against the enemies of the faith; and after amity, with the emperor, was once fully restored, he should then be in a situation, as a common friend both to him and Francis, either to mediate an agreement between them, or to assist the injured party.

What rendered Henry more indifferent to the advances made by the emperor, was, both his experience of the usual duplicity and insincerity of that monarch, and the intelligence which he received of the present transactions in Europe. Francis Sforza, duke of Milan, had died, without issue: and the emperor maintained, that the duchy, being a fief of the empire, was devolved to him, as head of the Germanic body: not to give umbrage, however, to the states of Italy, he professed his intention of bestowing that principality on some prince, who should be obnoxious to no party, and he even made offer of it to the duke of Angoulême, third son of Francis. The French monarch, who pretended that his own right to Milan was now revived, upon Sforza's death, was content to substitute his second son, the duke of Orleans, in his place; and the emperor pretended to close with this proposal. But his sole intention, in that liberal concession, was to gain time, till he should put himself in a warlike posture, and be able to carry an invasion into Francis's dominions. The ancient enmity between these princes broke out anew, in bravadoes, and in personal insults on each other, ill becoming persons of their rank, and still less suitable to men of such unquestioned bravery. Charles, soon after, invaded Provence in person, with an army of fifty thousand men; but met with no success. His army perished with sickness, fatigue, famine, and other disasters; and he was obliged to raise the siege of Marseilles, and retire into Italy, with the broken remains of his forces. An army of imperialists, near thirty thousand strong, which invaded France on the side of the Netherlands, and laid siege to Peronne, made no greater progress, but retired, upon the approach of a French army. And Henry had thus the satisfaction to find, both that his ally, Francis, was likely to support himself, without foreign assistance, and that his own tranquillity was fully ensured, by these violent wars and animosities on the continent.

If any inquietude remained with the English court, it was solely occasioned by the state of affairs in Scotland. James, hearing of the dangerous situation of his ally, Francis, generously levied some forces; and, embarking them on board vessels, which he had hired for that purpose, landed them safely in France. He even went over in person; and making haste to join the camp of the French king, which then lay in Provence,

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and to partake of his danger, he met that prince, at Lyons, who, having repulsed the emperor, was now returning to his capital. Recommended by so agreeable and seasonable an instance of friendship, the king of Scots paid his addresses to Magdalen, daughter of the French monarch; and this prince had no other objection to the match, than what arose from the infirm state of his daughter's health, which seemed to threaten her with an approaching end. But James, having gained the affections of the princess, and obtained her consent, the father would no longer oppose the united desires of his daughter and his friend: they were, accordingly, married, and soon after set sail for Scotland, where the young queen, as was foreseen, died, in a little time after her arrival. Francis, however, was afraid, lest his ally, Henry, whom he likewise looked on as his friend, and who lived with him on a more cordial footing than is usual among great princes, should be displeased that this close confederacy, between France and Scotland, was concluded without his participation. He, therefore, despatched Pommeraye to London, in order to apologize for this measure; but Henry, with his usual openness and freedom, expressed such displeasure, that he refused even to confer with the ambassador; and Francis was apprehensive of a rupture with a prince, who regulated his measures more by humour and passion, than by the rules of political prudence. But the king was so fettered by the opposition, in which he was engaged against the pope and the emperor, that he pursued no farther this disgust against Francis, and, in the end, every thing remained in tranquillity, both on the side of France and Scotland.

The domestic peace of England seemed to be exposed to more hazard, by the violent innovations in religion; and it may be affirmed, that, in this dangerous conjuncture, nothing ensured public tranquillity so much as the decisive authority acquired by the king, and his great ascendant over all his subjects. Not only the devotion paid to the crown was profound, during that age; the personal respect, inspired by Henry, was considerable; and even the terrors, with which he overawed every one, were not attended with any considerable degree of hatred. His frankness, his sincerity, his magnificence, his generosity, were virtues which counterbalanced his violence, cruelty and impetuosity. And the important rank which his vigour, more than his address, acquired him, in all foreign negotiations, flattered the vanity of Englishmen, and made them the more willingly endure those domestic hardships, to which they were exposed. The king, conscious of his advantages, was now proceeding to the most dangerous exercise of his authority; and after paving the way for that measure, by several preparatory expedients, he was, at last, determined to suppress the monasteries, and to put himself in possession of their ample revenues.

The great increase of monasteries, if matters be considered merely in a political light, will appear the radical inconvenience



of the catholic religion; and every other disadvantage, attending that communion, seems to have an inseparable connection with these religious institutions. Papal usurpations, the tyranny of the inquisition, the multiplicity of holidays; all these fetters on liberty and industry, was ultimately derived from the authority and insinuation of monks, whose habitations being established every where, proved so many seminaries of superstition and of folly. This order of men was extremely enraged against Henry; and regarded the abolition of the papal authority, in England, as the removal of the sole protection which they enjoyed, against the rapacity of the crown and of the courtiers. They were now subjected to the king's visitation; the supposed sacredness of their bulls from Rome was rejected; the progress of the reformation abroad, which had every where been attended with the abolition of the monastic orders, gave them reason to apprehend like consequences in England; and though the king still maintained the doctrine of purgatory, to which most of the convents owed their origin and support, it was foreseen, that, in the progress of the contest, he would every day be led to depart wider from the ancient institutions, and be drawn nearer the tenets of the reformers, with whom his political interests naturally induced him to unite. Moved by these considerations, the friars employed all their influence to inflame the people against the king's government; and Henry, finding their safety irreconcilable with his own, was determined to seize the present opportunity, and utterly destroy his declared enemies.

Cromwell, secretary of state, had been appointed vicar-general, or vicegerent; a new office, by which the king's supremacy, or the absolute uncontrollable power assumed over the church, was delegated to him. He employed Layton, London, Price, Gage, Petre, Bellasis, and others, as commissioners, who carried on, every where, a rigorous inquiry, with regard to the conduct and deportment of all the friars. During times of faction, especially of the religious kind, no equity is to be expected from adversaries; and, as it was known that the king's intention, in this visitation, was to find a pretence for abolishing monasteries, we may naturally conclude, that the reports of the commissioners are very little to be relied on. Friars were encouraged to bring in informations against their brethren: the slightest evidence was credited; and even the calumnies spread abroad, by the friends of the reformation, were regarded as grounds of proof. Monstrous disorders are, therefore, said to have been found in many of the religious houses: whole convents of women abandoned to lewdness: signs of abortion procured, of infants murdered, of unnatural lusts, between persons of the same sex. It is indeed probable, that the blind submission of the people, during those ages, would render the friars and nuns more unguarded, and more dissolute, than they are in any Roman catholic country at present; but still the reproaches, which it is safest to credit, are such as point at vices naturally connected with the

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very institution of convents, and with the monastic life. The cruel and inveterate factions and quarrels, therefore, which the commissioners mentioned, are very credible among men, who being confined together, within the same walls, never can forget their mutual animosities; and who, being cut off from all the most endearing connexions of nature, are commonly cursed with hearts more selfish, and tempers more unrelenting, than fall to the share of other men. The pious frauds practised, to increase the devotion and liberality of the people, may be regarded as certain, in an order founded on illusions, lies, and superstition. The supine idleness also, and its attendant, profound ignorance, with which the convents were reproached, admit of no question; and though monks were the true preservers, as well as inventors of the dreaming and captious philosophy of the schools, no manly or elegant knowledge could be expected among men, whose lives, condemned to a tedious uniformity, and deprived of all emulation, afforded nothing to raise the mind or cultivate the genius.

Some few monasteries, terrified with this rigorous inquisition, carried on by Cromwell and his commissioners, surrendered their revenues into the king's hands; and the monks received small pensions, as the reward of their obsequiousness. Orders were given to dismiss such nuns and friars, as were below four and twenty, whose vows were, on that account, supposed not to be binding. The doors of the convents were opened, even to such as were above that age; and every one recovered his liberty who desired it. But as all these expedients did not fully answer the king's purpose, he had recourse to his usual instrument of power, the parliament; and, in order to prepare men for the innovations projected, the report of the visitors was published, and a general horror was endeavoured to be excited in the nation, against institutions which, to their ancestors, had been the objects of the most profound veneration.

4th Feb.

A parliament.

Suppression of the lesser monasteries.

The king, though determined utterly to abolish the monastic orders, resolved to proceed gradually in this great work; and he gave directions to the parliament to go no farther, at present, than to suppress the lesser monasteries, which possessed revenues below two hundred pounds a year.<sup>1</sup> These were found to be the most corrupted, as lying less under the restraint of shame, and being exposed to less scrutiny:<sup>2</sup> and it was deemed safest to begin with them, and thereby prepare the way for the greater innovations projected. By this act, three hundred and seventy-six monasteries were suppressed, and their revenues, amounting to thirty-two thousand pounds a year, were granted to the king; besides their goods, chattels, and plate, computed at a hundred thousand pounds more.<sup>3</sup> It does not appear that any opposition was

<sup>1</sup> 27 Hen. VIII. c. 28.    <sup>2</sup> Burnet, vol. i. p. 193.    <sup>3</sup> It is pretended, see Hohnghshed, p. 939, that ten thousand monks were turned out, on the dissolution of the lesser monasteries. If so, most of them must have been mendicants:

made to this important law ; so absolute was Henry's authority ! A court, called the court of augmentation of the king's revenue, was erected, for the management of these funds. The people naturally concluded, from this circumstance, that Henry intended to proceed in despoiling the church of her patrimony.<sup>1</sup>

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The act, formerly passed, empowering the king to name thirty-two commissioners, for framing a body of canon laws, was renewed ; but the project was never carried into execution. Henry thought, that the present perplexity of that law increased his authority, and kept the clergy in still greater dependence.

Farther progress was made, in completing the union of Wales with England : the separate jurisdictions of several great lords, or marchers, as they were called, which obstructed the course of justice in Wales, and encouraged robbery and pillaging, were abolished ; and the authority of the king's courts was extended every where. Some jurisdictions, of a like nature, in England, were also abolished,<sup>2</sup> this session.

The commons, sensible that they had gained nothing by opposing the king's will, when he formerly endeavoured to secure the profits of wardships and liveries, were now contented to frame a law,<sup>3</sup> such as he dictated to them. It was enacted, that the possession of land shall be adjudged to be in those who have the use of it, not in those to whom it is transferred in trust.

After all these laws were passed the king dissolved the parliament : a parliament, memorable, not only for the great and important innovations which it introduced, but also for the long time it had sitten, and the frequent prorogations which it had undergone. Henry had found it so obsequious to his will, that he did not choose, during those religious ferments, to hazard a new election ; and he continued the same parliament above six years : a practice at that time unusual in England. 14th April.

The convocation which sat during this session was engaged in a very important work, the deliberating on the new translation, which was projected, of the Scriptures. The translation, given by Tindal, though corrected by himself, in a new edition, was still complained of by the clergy, as inaccurate and unfaithful ; and it was now proposed to them, that they should themselves publish a translation, which would not be liable to those objections. A convocation.

The friends of the reformation asserted, that nothing could be more absurd than to conceal, in an unknown tongue, the word of God itself, and thus to counteract the will of heaven, which, for the purpose of universal salvation, had published that salutary doctrine to all nations : that, if this practice were not very absurd, the artifice, at least, was very gross, and proved a consciousness that the glosses and traditions of the clergy stood in direct opposition to the original text, dictated by the Supreme Intelligence : that

for the revenue could not have supported near that number. The mendicants, no doubt, still continued their former profession.

<sup>1</sup> 27 Hen. VIII. c. 27.

<sup>2</sup> Ibid. c. 4.

<sup>3</sup> Ibid. c. 10.

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it was now necessary for the people, so long abused by interested pretensions, to see, with their own eyes, and to examine whether the claims of the ecclesiastics were founded on that charter, which was, on all hands, acknowledged to be derived from heaven : and that, as a spirit of research and curiosity was happily revived, and men were now obliged to make a choice among the contending doctrines of different sects, the proper materials for decision, and, above all the holy Scriptures, should be set before them ; and the revealed will of God, which the change of language had somewhat obscured, be again, by their means, revealed to mankind.

The favourers of the ancient religion maintained, on the other hand, that the pretence of making the people see with their own eyes, was a mere cheat, and was, itself, a very gross artifice, by which the new preachers hoped to obtain the guidance of them, and to seduce them from those pastors, whom the laws, whom ancient establishments, whom heaven itself, had appointed for their spiritual direction : that the people were, by their ignorance, their stupidity, their necessary avocations, totally unqualified to choose their own principles ; and it was a mockery to set materials before them, of which they could not, possibly, make any proper use : that even in the affairs of common life, and in their temporal concerns, which lay more within the compass of human reason, the laws had, in a great measure, deprived them of the right of private judgment, and had, happily for their own and the public interest, regulated their conduct and behaviour : that theological questions were placed far beyond the sphere of vulgar comprehension ; and ecclesiastics themselves, though assisted by all the advantages of education, erudition, and an assiduous study of the science, could not be fully assured of a just decision, except by the promise made them, in Scripture, that God would be ever present with his church, and that the gates of hell should not prevail against her : that the gross errors adopted by the wisest heathens, proved how unfit men were to grope their own way through this profound darkness ; nor would the Scriptures, if trusted to every man's judgment, be able to remedy ; on the contrary, they would much augment those fatal illusions : that sacred writ itself was involved in so much obscurity, gave rise to so many difficulties, contained so many appearing contradictions, that it was the most dangerous weapon that could be intrusted into the hands of the ignorant and giddy multitude : that the poetical style, in which a great part of it was composed, at the same time that it occasioned uncertainty in the sense, by its multiplied tropes and figures, was sufficient to kindle the zeal of fanaticism, and thereby throw civil society in the most furious combustion : that a thousand sects must arise, which would pretend, each of them, to derive its tenets from the Scriptures ; and would be able, by specious arguments, or even without specious arguments, to seduce silly women and ignorant mechanics into a belief of the most monstrous principles : and that, if ever



this disorder, dangerous to the magistrate himself, received a remedy, it must be from the tacit acquiescence of the people in some new authority; and it was evidently better, without farther contest or inquiry, to adhere peaceably to ancient, and, therefore, the most secure establishments.

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These latter arguments, being more agreeable to ecclesiastical government, would probably have prevailed in the convocation, had it not been for the authority of Cranmer, Latimer, and some other bishops, who were supposed to speak the king's sense of the matter. A vote was passed, for publishing a new translation of the Scriptures; and, in three years' time, the work was finished, and printed at Paris. This was deemed a great point gained, by the reformers, and a considerable advancement of their cause. Farther progress was soon expected, after such important successes.

But while the retainers to the new religion were exulting in their prosperity, they met with a mortification, which seemed to blast all their hopes. Their patroness, Anne Boleyn, possessed no longer the king's favour; and, soon after, lost her life, by the rage of that furious monarch. Henry had persevered in his love to this lady, during six years, that his prosecution of the divorce lasted; and the more obstacles he met with to the gratification of his passion, the more determined zeal did he exert, in pursuing his purpose. But the affection, which had subsisted, and still increased under difficulties, had not long attained secure possession of its object, when it languished, from satiety; and the king's heart was, apparently, estranged from his consort. Anne's enemies soon perceived the fatal change; and they were forward to widen the breach, when they found that they incurred no danger, by interposing in those delicate concerns. She had been delivered of a dead son; and Henry's extreme fondness for male issue, being thus, for the present, disappointed, his temper, equally violent and superstitious, was disposed to make the innocent mother answerable for the misfortune.<sup>1</sup> But the chief means, which Anne's enemies employed, to inflame the king against her, was his jealousy.

Disgrace  
of queen  
Anne.

Anne, though she appears to have been entirely innocent, and even virtuous in her conduct, had a certain gaiety, if not levity of character, which threw her off her guard, and made her less circumspect than her situation required. Her education in France, rendered her the more prone to those freedoms; and it was with difficulty she conformed herself to that strict ceremonial, practised in the court of England. More vain than haughty, she was pleased to see the influence of her beauty on all around her, and she indulged herself in an easy familiarity with persons, who were formerly her equals, and who might then have pretended to her friendship and good graces. Henry's dignity was offended with these popular manners; and though the lover had been entirely

<sup>1</sup> Burnet, vol. i. p. 196.

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blind, the husband possessed but too quick discernment and penetration. Ill instruments interposed, and put a malignant interpretation on the harmless liberties of the queen: the viscountess of Rocheford, in particular, who was married to the queen's brother, but who lived on bad terms with her sister-in-law, insinuated the most cruel suspicions into the king's mind; and, as she was a woman of profligate character, she paid no regard either to truth or humanity, in those calumnies which she suggested. She pretended, that her own husband was engaged in a criminal correspondence with his sister; and, not content with this imputation, she poisoned every action of the queen's, and represented each instance of favour, which she conferred on any one, as a token of affection. Henry Norris, groom of the stole, Weston and Brereton, gentlemen of the king's chamber, together with Mark Smeton, groom of the chamber, were observed to possess much of the queen's friendship; and they served her with a zeal and attachment, which, though chiefly derived from gratitude, might not, improbably, be seasoned with some mixture of tenderness, for so amiable a princess. The king's jealousy laid hold of the slightest circumstance, and, finding no particular object, on which it could fasten, it vented itself equally on every one that came within the verge of its fury.

Had Henry's jealousy been derived from love, though it might, on a sudden, have proceeded to the most violent extremities, it would have been subject to many remorse and contrarieties; and might, at last, have served only to augment that affection on which it was founded. But it was a more stern jealousy, fostered entirely by pride; his love was transferred to another object. Jane, daughter of Sir John Seymour, and maid of honour to the queen, a young lady of singular beauty and merit, had obtained an entire ascendant over him; and he was determined to sacrifice every thing to the gratification of this new appetite. Unlike to most monarchs, who judge lightly of the crime of gallantry, and who deem the young damsels of their court rather honoured than disgraced by their passion, he seldom thought of any other attachment than that of marriage; and in order to attain this end, he underwent more difficulties, and committed greater crimes, than those which he sought to avoid, by forming that legal connexion. And having thus entertained the design of raising his new mistress to his bed and throne, he more willingly hearkened to every suggestion, which threw any imputation of guilt on the unfortunate Anne Boleyn.

1st May.

The king's jealousy first appeared, openly, in a tilting, at Greenwich, where the queen happened to drop her handkerchief; an incident, probably casual, but interpreted by him, as an instance of gallantry to some of her paramours.<sup>1</sup> He immediately retired from the place; sent orders to confine her to her chamber; arrested Norris, Brereton, Weston, and Smeton, together with her brother,

<sup>1</sup> Burnet, vol. i. p. 198.

Rocheford; and threw them into prison. The queen, astonished at these instances of his fury, thought that he meant only to try her; but finding him in earnest, she reflected on his obstinate, unrelenting spirit, and she prepared herself for that melancholy doom, which was awaiting her. Next day, she was sent to the Tower; and, on her way thither, she was informed of her supposed offences, of which she had, hitherto, been ignorant: she made earnest protestations of her innocence; and, when she entered the prison, she fell on her knees, and prayed God so to help her, as she was not guilty of the crime imputed to her. Her surprise and confusion threw her into hysterical disorders; and, in that situation, she thought that the best proof of her innocence was, to make an entire confession; and she revealed some indiscretions and levities, which her simplicity had equally betrayed her to commit and to avow. She owned, that she had once rallied Norris, on his delaying his marriage, and had told him, that he probably expected her, when she should be a widow: she had reproved Weston, she said, for his affection to a kinswoman of hers, and his indifference towards his wife: but he told her, that she had mistaken the object of his affection, for it was herself: upon which she defied him.<sup>1</sup> She affirmed, that Smeton had never been in her chamber but twice, when he played on the harpsichord: but she acknowledged, that he had once had the boldness to tell her, that a look sufficed him. The king, instead of being satisfied with the candour and sincerity of her confession, regarded these indications only as preludes to greater and more criminal intimacies.

Of all those multitudes, whom the beneficence of the queen's temper had obliged, during her prosperous fortune, no one durst interpose between her and the king's fury; and the person, whose advancement every breath had favoured, and every countenance had smiled upon, was now left neglected and abandoned. Even her uncle, the duke of Norfolk, preferring the connexions of party to the ties of blood, was become her most dangerous enemy; and all the retainers to the catholic religion hoped, that her death would terminate the king's quarrel with Rome, and leave him again to his natural and early bent, which had inclined him to maintain the most intimate union with the apostolic see. Cranmer, alone, of all the queen's adherents, still retained his friendship for her; and, as far as the king's impetuosity permitted him, he endeavoured to moderate the violent prejudices entertained against her.

The queen herself wrote Henry a letter, from the Tower, full of the most tender expostulations, and of the warmest protestations of innocence.\* This letter had no influence on the unrelenting mind of Henry, who was determined to pave the way for his new marriage, by the death of Anne Boleyn. Norris, Weston, Brereton, and Smeton, were tried; but no legal evi-

<sup>1</sup> Strype, vol. i. p. 281.

\* See note [V] at the end of the volume.

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dence was produced against them. The chief proof of their guilt, consisted in a hearsay, from one lady Wingfield, who was dead. Smeton was prevailed on, by the vain hopes of life, to confess a criminal correspondence with the queen;<sup>1</sup> but even her enemies expected little advantage from this confession; for they never dared to confront him with her; and he was immediately executed; as were, also, Brereton and Weston. Norris had been much in the king's favour; and an offer of life was made him, if he would confess his crime, and accuse the queen: but he generously rejected the proposal; and said, that in his conscience, he believed her entirely guiltless: but for his part, he could accuse her of nothing, and he would rather die a thousand deaths, than calumniate an innocent person.

Her trial,

The queen and her brother were tried by a jury of peers, consisting of the duke of Suffolk, the marquis of Exeter, the earl of Arundel, and twenty-three more: their uncle, the duke of Norfolk, presided as high steward. Upon what proof or pretence the crime of incest was imputed to them, is unknown: the chief evidence, it is said, amounted to no more, than that Rocheford had been seen to lean on her bed, before some company. Part of the charge against her was, that she had affirmed to her minions, that the king never had her heart; and had said to each of them, apart, that she loved him better than any person whatsoever: *which was to the slander of the issue begotten between the king and her.* By this strained interpretation, her guilt was brought under the statute of the twenty-fifth of this reign; in which it was declared criminal to throw any slander upon the king, queen, or their issue. Such palpable absurdities were, at that time, admitted; and they were regarded, by the peers of England, as a sufficient reason for sacrificing an innocent queen, to the cruelty of their tyrant. Though unassisted by counsel, she defended herself with presence of mind; and the spectators could not forbear pronouncing her entirely innocent. Judgment, however, was given by the court, both against the queen and lord Rocheford; and her verdict contained, that she should be burned or beheaded, at the king's pleasure. When this dreadful sentence was pronounced, she was not terrified, but, lifting up her hands to heaven, said, "O Father! O Creator! thou who art the way, the truth, and the life, thou knowest that I have not deserved this fate." And then, turning to the judges, made the most pathetic declarations of her innocence.

Henry, not satisfied with this cruel vengeance, was resolved entirely to annul his marriage with Anne Boleyn, and to declare her issue illegitimate; he recalled to his memory, that a little after her appearance in the English court, some attachment had been acknowledged, between her and the earl of Northumberland, then lord Percy: and he now questioned that nobleman, with regard to these engagements. Northumberland took

<sup>1</sup> Burnet, vol. i. p. 202.



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an oath, before the two archbishops, that no contract, or promise of marriage had ever passed between them: he received the sacrament upon it, before the duke of Norfolk, and others of the privy council; and this solemn act he accompanied with the most solemn protestations of veracity.<sup>1</sup> The queen, however, was shaken by menaces of executing the sentence against her, in its greatest rigour, and was prevailed on to confess, in court, some lawful impediment to her marriage with the king.<sup>2</sup> The afflicted primate, who sat as judge, thought himself obliged, by this confession, to pronounce the marriage null and invalid. Henry, in the transports of his fury, did not perceive that his proceedings were totally inconsistent, and that, if her marriage were, from the beginning, invalid, she could not possibly be guilty of adultery.

The queen now prepared for suffering the death to which she and execution. was sentenced. She sent her last message to the king, and acknowledged the obligations which she owed him, in thus uniformly continuing his endeavours for her advancement: from a private gentlewoman, she said, he had first made her a marchioness, then a queen, and now, since he could raise her no higher in this world, he was sending her to be a saint in heaven. She then renewed the protestations of her innocence, and recommended her daughter to his care. Before the lieutenant of the Tower, and all who approached her, she made the like declarations; and continued to behave herself with her usual serenity, and even with cheerfulness. "The executioner," she said, to the lieutenant, "is, I hear, very expert; and my neck is very slender:" upon which she grasped it in her hand, and smiled. When brought, 19th May. however, to the scaffold, she softened her tone a little, with regard to her protestations of innocence. She probably reflected, that the obstinacy of queen Catharine, and her opposition on the king's will, had much alienated him from the lady Mary: her own maternal concern, therefore, for Elizabeth, prevailed, in these last moments, over that indignation, which the unjust sentence, by which she suffered, naturally excited in her. She said, that she was come to die, as she was sentenced by the law: she would accuse none, nor say any thing of the ground upon which she was judged. She prayed heartily for the king; called him a most merciful and gentle prince; and acknowledged, that he had always been to her a good and gracious sovereign; and, if any one should think proper to canvass her cause, she desired him to judge the best.<sup>3</sup> She was beheaded, by the executioner of Calais, who was sent for, as more expert than any in England. Her body was negligently thrown into a common chest of elm-tree, made to hold arrows, and was buried in the Tower.

The innocence of this unfortunate queen cannot reasonably be called in question. Henry himself, in the violence of his rage,

<sup>1</sup> Herbert, p. 384.    <sup>2</sup> Heylin, p. 94.    <sup>3</sup> Burnet, vol. i. p. 205.

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knew not whom to accuse as her lover; and though he imputed guilt to her brother, and four persons more, he was able to bring proof against none of them. The whole tenor of her conduct, forbids us to ascribe to her an abandoned character, such as is implied in the king's accusation: had she been lost to all prudence and sense of shame, she must have exposed herself to detection, and afforded her enemies some evidence against her. But the king made the most effectual apology for her, by marrying Jane Seymour, the very day after her execution.<sup>1</sup> His impatience to gratify this new passion, caused him to forget all regard to decency; and his cruel heart was not softened, a moment, by the bloody catastrophe of a person, who had so long been the object of his most tender affections.

The lady Mary thought the death of her stepmother a proper opportunity for reconciling herself to the king, who, besides other causes of disgust, had been offended with her, on account of the part which she had taken in her mother's quarrel. Her advances were not, at first, received; and Henry exacted from her some farther proofs of submission and obedience: he required this young princess, then about twenty years of age, to adopt his theological tenets; to acknowledge his supremacy; to renounce the pope; and to own her mother's marriage to be unlawful and incestuous. These points were of hard digestion with the princess; but after some delays, and even refusals, she was at last prevailed on to write a letter to her father,<sup>2</sup> containing her assent to the articles required of her: upon which she was received into favour. But, notwithstanding the return of the king's affection, to the issue of his first marriage, he divested not himself of kindness towards the lady Elizabeth; and the new queen, who was blest with a singular sweetness of disposition, discovered strong proofs of attachment towards her.

8th June.  
A parliament.

The trial and conviction of queen Anne, and the subsequent events, made it necessary for the king to summon a new parliament: and he here, in his speech, made a merit to his people, that, notwithstanding the misfortunes attending his two former marriages, he had been induced, for their good, to venture on a third. The speaker received this profession with suitable gratitude; and he took thence occasion to praise the king for his wonderful gifts of grace and nature: he compared him, for justice and prudence, to Solomon; for strength and fortitude, to Sampson; and for beauty and comeliness, to Absalom. The king very humbly replied, by the mouth of the chancellor, that he disavowed these praises; since, if he were really possessed of such endowment, they were the gift of Almighty God only. Henry found, that the parliament was no less submissive in deeds, than complaisant in their expressions, and that they would go the same lengths as the former, in gratifying even his most lawless

<sup>1</sup> Burnet, vol. i. p. 207. <sup>2</sup> Ibid. Strype, vol. i. p. 285.

passions. His divorce from Anne Boleyn was ratified;<sup>1</sup> that queen, and all her accomplices were attainted; the issue of both his former marriages were declared illegitimate, and it was even made treason to assert the legitimacy of either of them; to throw any slander upon the present king, queen, or their issue, was subjected to the same penalty; the crown was settled on the king's issue, by Jane Seymour, or any subsequent wife; and in case he should die, without children, he was empowered, by his will, or letters patent, to dispose of the crown: an enormous authority, especially when entrusted to a prince so violent and capricious in his humour. Whoever, being required, refused to answer, upon oath, to any article of this act of settlement, was declared to be guilty of treason; and, by this clause, a species of political inquisition was established in the kingdom, as well as the accusations of treason multiplied to an unreasonable degree. The king was, also, empowered to confer on any one, by his will, or letters patent, any castles, honours, liberties, or franchises; words which might have been extended to the dismembering of the kingdom, by the erection of principalities and independent jurisdictions. It was, also, by another act, made treason to marry, without the king's consent, any princess related, in the first degree, to the crown. This act was occasioned, by the discovery of a design, formed by Thomas Howard, brother of the duke of Norfolk, to espouse the lady Margaret Douglas, niece to the king, by his sister, the queen of Scots, and the earl of Angus. Howard, as well as the young lady, was committed to the Tower. She recovered her liberty soon after; but he died in confinement. An act of attainder passed against him this session of parliament.

Another accession was likewise gained, to the authority of the crown: the king, or any of his successors, was empowered to repeal or annul, by letters patent, whatever act of parliament had been passed, before he was four-and-twenty years of age. Whoever maintained the authority of the bishop of Rome, by word or writ, or endeavoured, in any manner, to restore it in England, was subjected to the penalty of a premunire; that is, his goods were forfeited, and he was put out of the protection of law. And any person, who possessed any office, ecclesiastical or civil, or received any grant or charter from the crown, and yet refused to renounce the pope, by oath, was declared to be guilty of treason. The renunciation prescribed, runs in the style of *So help me God, all saints, and the holy evangelists.*<sup>2</sup> The pope, hearing of Anne Boleyn's disgrace and death, had hoped that the door was opened to a reconciliation, and had been making

<sup>1</sup> The parliament, in annulling the king's marriage with Anne Boleyn, gives this as a reason: "For that his highness had chosen to wife the excellent and virtuous lady Jane, who, for her convenient years, excellent beauty, and pureness of flesh and blood, would be apt, God willing, to conceive issue by his highness." 28 Hen. VIII. c. 10.

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some advances to Henry: but this was the reception he met with. Henry was now become indifferent, with regard to papal censures; and finding a great increase of authority, as well as of revenue, to accrue from his quarrel with Rome, he was determined to persevere in his present measures. This parliament, also, even more than any foregoing, convinced him how much he commanded the respect of his subjects, and what confidence he might repose in them. Though the elections had been made on a sudden, without preparation or intrigue, the members discovered an unlimited attachment to his person and government.<sup>1</sup>

A convo-  
cation.

The extreme complaisance of the convocation, which sat, at the same time, with the parliament, encouraged him in his resolution of breaking, entirely, with the court of Rome. There was secretly a great division of sentiments in the minds of this assembly; and as the zeal of the reformers had been augmented, by some late successes, the resentment of the catholics was no less excited by their fears and losses: but the authority of the king kept every one submissive and silent: and the new assumed prerogative, the supremacy, with whose limits no one was fully acquainted, restrained even the most furious movements of theological rancour. Cromwell presided as vicar-general; and though the catholic party expected that, on the fall of queen Anne, his authority would receive a great shock, they were surprised to see him still maintain the same credit as before. With the vicar-general concurred Cranmer, the primate, Latimer, bishop of Worcester, Shaxton, of Salisbury, Hilsey, of Rochester, Fox, of Hereford, Barlow, of St. David's. The opposite faction was headed by Lee, archbishop of York, Stokesley, bishop of London, Tonsal, of Durham, Gardiner, of Winchester, Longland of Lincoln, Sherborne, of Chichester, Nix, of Norwich, and Kite, of Carlisle. The former party, by their oppositions to the pope, seconded the king's ambition and love of power: the latter party, by maintaining the ancient theological tenets, were more conformable to his speculative principles: and both of them had alternately, the advantage of gaining on his humour, by which he was more governed, than by either of these motives.

The church, in general, was averse to the reformation: and the lower house of convocation framed a list of opinions, in the whole, sixty-seven, which they pronounced erroneous, and which was a collection of principles, some held by the ancient Lollards, others by the modern protestants, or gospellers, as they were sometimes called. These opinions they sent to the upper house, to be censured; but in the preamble of their representation, they discovered the servile spirit by which they were governed. They said, "that they intended not to do or speak any thing, which might be unpleasant to the king,

<sup>1</sup> Burnet, vol. i. p. 212.



"whom they acknowledge their supreme head, and whose commands they were resolved to obey; renouncing the pope's usurped authority, with all his laws and inventions, now extinguished and abolished; and addicting themselves to Almighty God and his laws, and unto the king, and the laws made within this kingdom."<sup>1</sup>

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The convocation came, at last, after some debate, to decide articles of faith: and their tenets were of as motley a kind as the assembly itself, or rather as the king's system of theology, by which they were resolved entirely to square their principles. They determined the standard of faith to consist in the Scriptures, and the three creeds, the Apostolic, Nicene, and Athanasian; and this article was a signal victory to the reformers: auricular confession and penance were admitted, a doctrine agreeable to the catholics: no mention was made of marriage, extreme unction, confirmation, or holy orders, as sacraments; and in this omission the influence of the protestants appeared: the real presence was asserted, conformably to the ancient doctrine: the terms of acceptance were established to be the merits of Christ, and the mercy and good pleasure of God, suitably to the new principles.

So far the two sects seem to have made a fair partition, by alternately sharing the several clauses. In framing the subsequent articles, each of them seems to have thrown in its ingredient. The catholics prevailed in asserting, that the use of images was warranted by Scripture; the protestants, in warning the people against idolatry, and the abuse of these sensible representations. The ancient faith was adopted, in maintaining the expedience of praying to saints; the late innovations, in rejecting the peculiar patronage of saints to any trade, profession, or course of action. The former rites of worship, the use of holy water, and the ceremonies practised on Ash Wednesday, Palm Sunday, Good Friday, and other festivals, were still maintained; but the new refinements, which made light of these institutions, were also adopted, by the convocation's denying that they had any immediate power of remitting sin, and by its asserting, that their sole merit consisted in promoting pious and devout dispositions in the mind.

But the article, with regard to purgatory, contains the most curious jargon, ambiguity and hesitation, arising from the mixture of opposite tenets. It was to this purpose: "Since, according to the due order of charity, and the book of Maccabees, and divers ancient authors, it is a very good and charitable deed to pray for souls departed; and since such a practice has been maintained in the church, from the beginning, all bishops and teachers should instruct the people not to be grieved for the continuance of the same. But since the place where departed souls are retained, before they reach paradise, as well as the

<sup>1</sup> Collier, vol. ii. p. 119.

CHAP. "nature of their pains, is left uncertain by Scripture, all such  
 XXXI. "questions are to be submitted to God, to whose mercy it is meet  
 { "and convenient to commend the deceased, trusting that he ac-  
 1536. "cepteth our prayers for them."<sup>1</sup>

These articles, when framed by the convocation and corrected by the king, were subscribed by every member of that assembly, while, perhaps, neither there, nor throughout the whole kingdom, could one man be found, except Henry himself, who had adopted precisely these very doctrines and opinions. For, though there be not any contradiction in the tenets above mentioned, it had happened, in England, as in all countries where factious divisions have place, a certain creed was embraced by each party; few neutrals were to be found; and these consisted only of speculative or whimsical people, of whom two persons could scarcely be brought to an agreement in the same dogmas. The protestants, all of them, carried their opposition to Rome farther than those articles: none of the catholics went so far; and the king, by being able to retain the nation in such a delicate medium, displayed the utmost power of an imperious despotism, of which any history furnishes an example. To change the religion of a country, even when seconded by a party, is one of the most perilous enterprises, which any sovereign can attempt, and often proves the most destructive to royal authority. But Henry was able to set the political machine in that furious movement, and yet regulate, and even stop its career: he could say to it, thus far shalt thou go, and no farther: and he made every vote of his parliament and convocation subservient, not only to his interests and passions, but even to his greatest caprices; nay, to his most refined and most scholastic subtleties.

The concurrence of these two national assemblies served, no doubt, to increase the king's power over the people, and raised him to an authority more absolute than any prince, in a simple monarchy, even by means of military force, is ever able to attain. But there are certain bounds, beyond which the most slavish submission cannot be extended. All the late innovations, particularly the dissolution of the smaller monasteries, and the imminent danger to which all the rest were exposed,\* had bred discontent among the people, and had disposed them to revolt. The expelled monks, wandering about the country, excited both the piety and compassion of men; and as the ancient religion took hold of the populace by powerful motives, suited to vulgar capacity, it was able, now that it was brought into apparent hazard, to raise the strongest zeal in its favour.<sup>2</sup> Discontents had even reached some of the nobility and gentry, whose ancestors had founded the monasteries, and who placed a vanity in those institutions, as well as reaped some benefit from them, by the provisions which they afforded them for their younger children. The

Discon-  
 tents  
 among the  
 people.

<sup>1</sup> Collier, vol. ii. p. 122, et seq. Fuller. Burnet, vol. i. p. 215. \* See note [W] at the end of the volume. <sup>2</sup> Strype, vol. i. p. 249.

more superstitious were interested for the souls of their forefathers, which, they believed, must now lie, during many ages, in the torments of purgatory, for want of masses to relieve them. It seemed unjust to abolish pious institutions, for the faults, real or pretended, of individuals. Even the most moderate and reasonable, deemed it somewhat iniquitous, that men, who had been invited into a course of life, by all the laws, human and divine, which prevailed in their country, should be turned out of their possessions, and so little care be taken of their future subsistence. And, when it was observed, that the rapacity and bribery of the commissioners, and others, employed in visiting the monasteries, intercepted much of the profits resulting from these confiscations, it tended much to increase the general discontent.<sup>1</sup>

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But the people did not break into open sedition, till the complaints of the secular clergy concurred with those of the regular. As Cromwell's person was little acceptable to the ecclesiastics, the authority, which he exercised, being so new, so absolute, so unlimited, inspired them with disgust and terror. He published, in the king's name, without the consent either of parliament or convocation, an ordinance, by which he retrenched many of the ancient holidays; prohibited several superstitions gainful to the clergy, such as pilgrimages, images, relics; and even ordered the incumbents, in the parishes, to set apart a considerable portion of their revenue for repairs, and for support of exhibitioners, and the poor of their parish. The secular priests, finding themselves thus reduced to a grievous servitude, instilled into the people those discontents, which they had long harboured in their own bosoms.

The first rising, was in Lincolnshire. It was headed by Dr. Mackrel, prior of Barlings, who was disguised, like a mean mechanic, and who bore the name of captain Cobler. This tumultuary army amounted to above twenty thousand men;<sup>2</sup> but, notwithstanding their number, they showed little disposition of proceeding to extremities against the king, and seemed still overawed by his authority. They acknowledged him to be supreme head of the church of England; but they complained of suppressing the monasteries, of evil counsellors, of persons, meanly born, raised to dignity, of the danger to which the jewels and plate of their parochial churches were exposed: and they prayed the king to consult the nobility of the realm, concerning the redress of these grievances.<sup>3</sup> Henry was little disposed to entertain apprehensions of danger, especially from a low multitude, whom he despised. He sent forces against the rebels, under the command of the duke of Suffolk; and he returned them a very sharp answer to their petition. There were some gentry, whom the populace had constrained to take part with them, and who kept a secret correspondence with Suffolk. They in-

Insurrec-  
tion.

6th Oct.

<sup>1</sup> Burnet, vol. i. p. 223. <sup>2</sup> Ibid. p. 227. Herbert. <sup>3</sup> Herbert, p. 410.

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formed him, that resentment against the king's reply, was the chief cause which retained the malcontents in arms, and that a milder answer would, probably, suppress the rebellion. Henry had levied a great force at London, with which he was preparing to march against the rebels; and being so well supported by power, he thought that, without losing his dignity, he might now show them some greater condescension. He sent a new proclamation, requiring them to return to their obedience, with secret assurances of pardon. This expedient had its effect: the populace was dispersed; Mackrel, and some of their leaders, fell into the king's hands, and were executed: the greater part of the multitude retired, peaceably, to their usual occupations; a few of the more obstinate fled to the north, where they joined the insurrection that was raised in those parts.

The northern rebels, as they were more numerous, were also, on other accounts, more formidable than those of Lincolnshire; because the people were there more accustomed to arms, and because of their vicinity to the Scots, who might make advantage of these disorders. One Aske, a gentleman, had taken the command of them, and he possessed the art of governing the populace. Their enterprise they called the *Pilgrimage of Grace*: some priests marched before, in the habits of their order, carrying crosses in their hands: in their banners was woven a crucifix, with the representation of a chalice, and of the five wounds of Christ:<sup>1</sup> they wore, on their sleeve, an emblem of the five wounds, with the name of Jesus wrought in the middle: they all took an oath, that they had entered into the pilgrimage of grace from no other motive than their love to God, their care of the king's person and issue, their desire of purifying the nobility, of driving base born persons from about the king, of restoring the church, and of suppressing heresy. Allured by these fair pretences, about forty thousand men, from the counties of York, Durham, Lancaster, and those northern provinces, flocked to their standard; and their zeal, no less than their numbers, inspired the court with apprehensions.

The earl of Shrewsbury, moved by his regard for the king's service, raised forces, though, at first, without any commission, in order to oppose the rebels. The earl of Cumberland repulsed them from his castle of Skipton; Sir Ralph Evers defended Scarborough castle against them:<sup>2</sup> Courtney, marquis of Exeter, the king's cousin german, obeyed orders from court, and levied troops. The earls of Huntingdon, Derby and Rutland, imitated his example. The rebels, however, prevailed in taking both Hull and York: they had laid siege to Pomfret castle, into which the archbishop of York and lord Darcy had thrown themselves. It was soon surrendered to them: and the prelate and nobleman, who secretly wished success to the insurrection, seemed to yield to the force imposed on them, and joined the rebels.

<sup>1</sup> Fox, vol. ii. p. 992. <sup>2</sup> Stowe, p. 574. Baker, p. 258.



The duke of Norfolk was appointed general of the king's forces, against the northern rebels; and as he headed the party, at court, which supported the ancient religion, he was also suspected of bearing some favour to the cause which he was sent to oppose. His prudent conduct, however, seems to acquit him of this imputation. He encamped near Doncaster, together with the earl of Shrewsbury; and as his army was small, scarcely exceeding five thousand men, he made choice of a post, where he had a river in front, the ford of which he purposed to defend against the rebels. They had intended to attack him in the morning; but, during the night, there fell such violent rain, as rendered the river utterly impassable; and Norfolk wisely laid hold of the opportunity to enter into treaty with them. In order to open the door for negotiation, he sent them a herald; whom Aske, their leader, received with great ceremony; he himself sitting in a chair of state, with the archbishop of York on one hand, and lord Darcy on the other. It was agreed that two gentlemen should be despatched to the king, with proposals from the rebels; and Henry purposely delayed giving an answer, and allured them with hopes of entire satisfaction, in expectation that necessity would soon oblige them to disperse themselves. Being informed that his artifice had, in a great measure, succeeded, he required them instantly to lay down their arms, and submit to mercy; promising pardon to all, except six, whom he named, and four, whom he reserved to himself the power of naming. But though the greater part of the rebels had gone home, for want of subsistence, they had entered into the most solemn engagements to return to their standards, in case the king's answer should not prove satisfactory. Norfolk, therefore, soon found himself in the same difficulty as before; and he opened again a negotiation, with the leaders of the multitude. He engaged them to send three hundred persons to Doncaster, with proposals for an accommodation; and he hoped by intrigue and separate interests to throw dissension among so great a number. Aske himself had intended to be one of the deputies, and he required a hostage for his security: but the king, when consulted, replied, that he knew no gentleman, or other, whom he esteemed so little as to put him in pledge for such a villain. The demands of the rebels were so exorbitant, that Norfolk rejected them: and they prepared again to decide the contest by arms. They were as formidable as ever, both by their numbers and spirit; and notwithstanding the small river which lay between them and the royal army, Norfolk had great reason to dread the effects of their fury. But while they were preparing to pass the ford, rain fell a second time, in such abundance, as made it impracticable for them to execute their design; and the populace, partly reduced to necessity, by want of provisions, partly struck with superstition, at being thus again disappointed by the same accident, suddenly dispersed themselves. The duke of Norfolk, who had received powers for that end, 9th Dec.

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forwarded the dispersion, by the promise of a general amnesty : and the king ratified this act of clemency. He published, however, a manifesto against the rebels, and an answer to their complaints ; in which he employed a very lofty style, suited to so haughty a monarch. He told them, that they ought no more to pretend giving a judgment, with regard to government, than a blind man with regard colours : "and we," he added, "with our whole council, think it right strange that ye, who be but brutes and inexpert folk, do take upon you to appoint us, who be meet or not, for our council."

1537.

As this pacification was not likely to be of long continuance, Norfolk was ordered to keep his army together, and to march into the northern parts, in order to exact a general submission. Lord Darcy, as well as Aske, was sent for to court; and the former, upon his refusal or delay to appear, was thrown into prison. Every place was full of jealousy and complaints. A new insurrection broke out, headed by Musgrave and Tilby, and the rebels besieged Carlisle, with eight thousand men. Being repulsed, by that city, they were encountered, in their retreat, by Norfolk, who put them to flight; and having made prisoners of all their officers, except Musgrave, who escaped, he instantly put them to death, by martial law, to the number of seventy persons. An attempt made by Sir Francis Bigot and Halam, to surprise Hull, met with no better success : and several other risings were suppressed, by the vigilance of Norfolk. The king, enraged by these multiplied revolts, was determined not to adhere to the general pardon, which he had granted ; and from a movement of his usual violence, he made the innocent suffer for the guilty. Norfolk, by command from his master, spread the royal banner, and, wherever he thought proper, executed martial law, in the punishment of offenders. Besides Aske, leader of the first insurrection, Sir Robert Constable, Sir John Bulmer, Sir Thomas Percy, Sir Stephen Hamilton, Nicholas Tempest, William Lumley, and many others, were thrown into prison; and most of them were condemned and executed. Lord Hussey was found guilty, as an accomplice, in the insurrection of Lincolnshire, and was executed at Lincoln. Lord Darcy, though he pleaded compulsion, and appealed, for his justification, to a long life, spent in the service of the crown, was beheaded, on Tower-hill. Before his execution, he accused Norfolk of having secretly encouraged the rebels ; but Henry, either sensible of that nobleman's services, and convinced of his fidelity, or afraid to offend one of such extensive power and great capacity, rejected the information. Being now satiated with punishing the rebels, he published anew, a general pardon, to which he faithfully adhered ;<sup>1</sup> and he erected, by patent, a court of justice, at York, for deciding lawsuits in the northern counties : a demand which had been made by the rebels.

<sup>1</sup> Herbert, p. 428.

Soon after this prosperous success, an event happened, which crowned Henry's joy; the birth of a son, who was baptized by the name of Edward. Yet was not his happiness without alloy: the queen died two days after.<sup>1</sup> But a son had so long been ardently wished for, by Henry, and was now become so necessary, in order to prevent disputes with regard to the succession, after the acts declaring the two princesses illegitimate, that the king's affliction was drowned in his joy, and he expressed great satisfaction on the occasion. The prince, not six days old, was created prince of Wales, duke of Cornwall, and earl of Chester. Sir Edward Seymour, the queen's brother, formerly made lord Beauchamp, was raised to the dignity of earl of Hereford. Sir William Fitz-Williams, high admiral, was created earl of Southampton; Sir William Paulet, lord St. John; Sir John Russel, lord Russel.

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Oct. 12.  
Birth of  
Prince Ed-  
ward, and  
death of  
queen  
Jane.

The suppression of the rebellion, and the birth of a son, as they confirmed Henry's authority at home, increased his consideration among foreign princes, and made his alliance be courted by all parties. He maintained, however, a neutrality in the wars, which were carried on with various success, and without any decisive event, between Charles and Francis; and though inclined more to favour the latter, he determined not to incur, without necessity, either hazard or expense, on his account. A truce, concluded about this time, between these potentates, and afterwards prolonged for ten years, freed him from all anxiety, on account of his ally, and re-established the tranquillity of Europe. 1538.

Henry continued desirous of cementing an union with the German protestants; and, for that purpose he sent Christopher Mount to a congress, which they held at Brunswick; but that minister made no great progress in his negotiation. The princes wished to know what were the articles in their confession, which Henry disliked; and they sent new ambassadors to him, who had orders both to negotiate and to dispute. They endeavoured to convince the king, that he was guilty of a mistake, in administering the eucharist in one kind only, in allowing private masses, and in requiring the celibacy of the clergy.<sup>2</sup> Henry would, by no means, acknowledge any error in these particulars; and was displeased that they should pretend to prescribe rules to so great a monarch and theologian. He found arguments and syllogism enow to defend his cause; and he dismissed the ambassadors, without coming to any conclusion. Jealous, also, lest his own subjects should become such theologians as to question his tenets, he used great precaution, in publishing that translation of the Scripture, which was finished this year. He would only allow a copy of it to be deposited in some parish churches, where it was fixed by a chain: and he took care to inform the people, by proclamation, "that this indulgence was not the effect of his

<sup>1</sup> Strype, vol. ii. p. 5. <sup>2</sup> Collier, vol. ii. p. 145. From the Cott. Lib. Cleopatrina, E. 5, fol. 173.

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Suppres-  
sion of the  
greater  
monaste-  
ries.

"duty, but of his goodness and his liberality to them; who, there-  
fore, should use it moderately, for the increase of virtue, not  
of strife; and he ordered, that no man should read the Bible  
aloud, so as to disturb the priest, while he sang mass, nor pre-  
sume to expound doubtful places, without advice from the  
learned." In this measure, as in the rest, he still halted half  
way between the catholics and the protestants.

There was only one particular, in which Henry was quite de-  
cisive; because he was there impelled, by his avarice, or, more  
properly speaking, his rapacity, the consequence of his profusion:  
this measure, was the entire destruction of the monasteries: the  
present opportunity seemed favourable for that great enterprise,  
while the suppression of the late rebellion fortified and increased  
the royal authority; and, as some of the abbots were suspect-  
ed of having encouraged the insurrection, and of corresponding  
with the rebels, the king's resentment was farther incited by that  
motive. A new visitation was appointed, of all the monasteries  
in England, and a pretence only being wanted, for their sup-  
pression, it was easy for a prince, possessed of such unlimited  
power, and seconding the present humour of a great part of the  
nation, to find or feign one. The abbots and monks, knew the  
danger to which they were exposed; and, having learned, by the  
example of the lesser monasteries, that nothing could withstand  
the king's will, they were most of them induced, in expectation  
of better treatment, to make a voluntary resignation of their  
houses. Where promises failed of effect, menaces, and even  
extreme violence, were employed; and as several of the abbots,  
since the breach with Rome, had been named, by the court, with  
a view to this event, the king's intentions were the more easily  
effected. Some, also, having secretly embraced the doctrine of  
the reformation, were glad to be free from their vows; and, on  
the whole, the design was conducted with such success, that, in  
less than two years, the king had got possession of all the mo-  
nastic revenues.

In several places, particularly in the county of Oxford, great  
interest was made, to preserve some convents of women, who,  
as they lived in the most irreproachable manner, justly merited,  
it was thought, that their houses should be saved from the ge-  
neral destruction.<sup>1</sup> There appeared, also, great difference be-  
tween the case of nuns and that of friars; and the one institu-  
tion might be laudable, while the other was exposed to much  
blame. The males, of all ranks, if endowed with industry, might  
be of service to the public; and none of them could want em-  
ployment, suited to his station and capacity. But a woman, of  
family, who failed of a settlement in the marriage state, an acci-  
dent to which such persons were more liable than women of  
lower station, had really no rank which she properly filled;  
and a convent was a retreat, both honourable and agreeable.

<sup>1</sup> Burnet, vol. i. p. 328.



from the inutility, and often want, which attended her situation. But the king was determined to abolish monasteries, of every denomination, and probably thought, that these ancient establishments would be the sooner forgotten, if no remains of them, of any kind, were allowed to subsist in the kingdom.

The better to reconcile the people to this great innovation, stories were propagated of the detestable lives of the friars, in many of the convents; and great care was taken to defame those whom the court had determined to ruin. The relics, also, and other superstitions, which had so long been the object of the people's veneration, were exposed to their ridicule; and the religious spirit, now less bent on exterior observances and sensible objects, was encouraged in this new direction. It is needless to be prolix in an enumeration of particulars: protestant historians mention, on this occasion, with great triumph, the sacred repositories of convents; the parings of St. Edmund's toes; some of the coals that roasted St. Laurence; the girdle of the Virgin, shown in eleven several places; two or three heads of St. Ursula; the felt of St. Thomas of Lancaster, an infallible cure for the headach; part of St. Thomas of Canterbury's shirt, much revered by big-bellied women; some relics, an excellent preventative against rain; others, a remedy to weeds in corn. But such fooleries, as they are to be found in all ages and nations, and even took place during the most refined periods of antiquity, form no particular or violent reproach to the catholic religion.

There were, also, discovered, or said to be discovered, in the monasteries, some impostures of a more artificial nature. At Hales, in the county of Gloucester, there had been shown, during several ages, the blood of Christ, brought from Jerusalem; and it is easy to imagine the veneration, with which such a relic was regarded. A miraculous circumstance, also, attended this miraculous relic; the sacred blood was not visible to any one in mortal sin, even when set before him; and till he had performed good works, sufficient for his absolution, it would not deign to discover itself to him. At the dissolution of the monastery, the whole contrivance was detected. Two of the monks, who were let into the secret, had taken the blood of a duck, which they renewed every week: they put it into a phial, one side of which consisted of thin and transparent crystal, the other of thick and opaque. When any rich pilgrim arrived, they were sure to show him the dark side of the phial, till masses and offerings had expiated his offences; and then, finding his money, or patience, or faith, nearly exhausted, they made him happy, by turning the phial.<sup>1</sup>

A miraculous crucifix had been kept at Boxley, in Kent, and bore the appellation of the *Rood of Grace*. The lips, and eyes, and head of the image, moved on the approach of its votaries. Hilsey, bishop of Rochester, broke the crucifix, at St. Paul's cross,

<sup>1</sup> Herbert, p. 431, 432. Stowe, p. 575.

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and showed to the whole people the springs and wheels, by which it had been secretly moved. A great wooden idol, revered in Wales, called Darvel Gatherin, was brought to London, and cut in pieces; and, by a cruel refinement in vengeance, it was employed as fuel, to burn friar Forest,<sup>1</sup> who was punished for denying the supremacy, and for some pretended heresies. A finger of St. Andrew, covered with a thin plate of silver, had been pawned, by a convent, for a debt of forty pounds; but as the king's commissioners refused to pay the debt, people made themselves merry with the poor creditor, on account of the pledge.

But of all the instruments of ancient superstition, no one was so zealously destroyed as the shrine of Thomas à Becket, commonly called St. Thomas, of Canterbury. This saint owed his canonization to the zealous defence which he had made for clerical privileges; and, on that account, also, the monks had extremely encouraged the devotion of pilgrimages towards his tomb; and numberless were the miracles, which they pretended his relics wrought, in favour of his devout votaries. They raised his body once a year; and the day on which this ceremony was performed, which was called the day of his translation, was a general holiday: every fiftieth year, there was celebrated a jubilee to his honour, which lasted fifteen days: plenary indulgences were then granted to all that visited his tomb; and a hundred thousand pilgrims have been registered, at a time, in Canterbury. The devotion towards him had quite effaced, in that place, the adoration of the Deity, nay, even that of the Virgin. At God's altar, for instance, there were offered, in one year, three pounds two shillings and six pence; at the Virgin's, sixty-three pounds five shillings and six pence; at St. Thomas's, eight hundred and thirty-two pounds twelve shillings and three pence. But, next year, the disproportion was still greater: there was not a penny offered at God's altar; the Virgin's gained only four pounds one shilling and eight pence; but St. Thomas had got, for his share, nine hundred and fifty-four pounds six shillings and three pence.<sup>2</sup> Lewis VII. of France, had made a pilgrimage to this miraculous tomb, and had bestowed on the shrine a jewel, esteemed the richest in Christendom. It is evident how obnoxious to Henry a saint of this character must appear, and how contrary to all his projects for degrading the authority of the court of Rome. He not only pillaged the rich shrine, dedicated to St. Thomas: he made the saint himself be cited to appear in court, and be tried and condemned as a traitor: he ordered his name to be struck out of the calendar; the office for his festival to be expunged from all breviaries; his bones to be burned, and the ashes to be thrown in the air.

On the whole, the king, at different times, suppressed six hun-

<sup>1</sup> Goodwin's Annals. Stowe, p. 575. Herbert. Baker, p. 286. <sup>2</sup> Burnet, vol. i. p. 244.

dred and forty-five monasteries : of which, twenty-eight had abbots, that enjoyed a seat in parliament. Ninety colleges were demolished, in several counties ; two thousand three hundred and seventy-four chantries and free chapels : a hundred and ten hospitals. The whole revenue, of these establishments, amounted to one hundred and sixty-one thousand one hundred pounds.<sup>1</sup> It is worthy of observation, that all the lands, and possessions, and revenue of England, had, a little before this period, been rated at four millions a year ; so that the revenue of the monks, even comprehending the lesser monasteries, did not exceed the twentieth part of the national income : a sum vastly inferior to what is commonly apprehended. The lands, belonging to the convents, were usually let, at very low rent ; and the farmers, who regarded themselves as a species of proprietors, took always care to renew their leases, before they expired.\*

Great murmurs were every where excited, on account of these violences, and men much questioned, whether priors and monks, who were only trustees, or tenants for life, could, by any deed, however voluntary, transfer to the king the entire property of their estates. In order to reconcile the people to such mighty innovations, they were told, that the king would never, thenceforth, have occasion to levy taxes, but would be able, from the abbey lands alone, to bear, during war, as well as peace, the whole charges of government.<sup>2</sup> While such topics were employed to appease the populace, Henry took an effectual method of interesting the nobility and gentry in the success of his measures :<sup>3</sup> he either made a gift of the revenues of convents to his favourites and courtiers, or sold them at low prices, or exchanged them for other lands on very disadvantageous terms. He was so profuse in these liberalities, that he is said to have given a woman the whole revenue of a convent, as a reward for making a pudding, which happened to gratify his palate.<sup>4</sup> He also settled pensions on the abbots and priors, proportioned to their former revenues or to their merits ; and gave each monk a yearly pension of eight marks : he erected six new bishoprics, Westminster, Oxford, Peterborow, Bristol, Chester, and Gloucester ; of which five subsist, at this day : and, by all these means of expense and dissipation, the profit which the king reaped, by the seizure of church lands, fell much short of vulgar opinion. As the ruin of convents had been foreseen, some years before it happened, the monks had taken care to secrete most of their stock, furniture, and plate ; so that the spoils of the great monasteries bore not, in these respects, any proportion to those of the lesser.

Beside the lands, possessed by the monasteries, the regular clergy enjoyed a considerable part of the benefices of England, and of the tithes annexed to them ; and these were, also, at this time, transferred to the crown, and, by that means, passed into

<sup>1</sup> Lord Herbert, Camden, Speed. \* See note [X] at the end of the volume.  
<sup>2</sup> Coke's 4th Inst. fol. 44. <sup>3</sup> Dugdale's Warwickshire, p. 800. <sup>4</sup> Fuller.

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the hands of laymen : an abuse which many zealous churchmen regarded as the most criminal sacrilege. The monks were, formerly, much at their ease, in England, and enjoyed revenues which exceeded the regular and stated expense of the house. We read of the abbey of Chertsey, in Surrey, which possessed seven hundred and forty-four pounds a year, though it contained only fourteen monks : that of Furnese, in the county of Lincoln, was valued at nine hundred and sixty pounds a year, and contained about thirty.<sup>1</sup> In order to dissipate their revenues, and support popularity, the monks lived in a hospitable manner ; and besides the poor, maintained from their offals, there were many decayed gentlemen, who passed their lives in travelling from convent to convent, and were entirely subsisted at the tables of the friars. By this hospitality, as much as by their own inactivity, did the convents prove nurseries of idleness ; but the king, not to give offence, by too sudden an innovation, bound the new proprietors of abbey lands to support the ancient hospitality. But this engagement was fulfilled in very few places, and for a very short time.

It is easy to imagine the indignation, with which the intelligence of all these acts of violence was received, at Rome, and how much the ecclesiastics of that court, who had so long kept the world in subjection, by high-sounding epithets, and by holy execrations, would now vent their rhetoric against the character and conduct of Henry. The pope was, at last, incited to publish the bull, which had been passed against that monarch ; and, in a public manner, he delivered over his soul to the devil, and his dominions to the first invader. Libels were dispersed, in which he was, anew, compared to the most furious persecutors in antiquity ; and the preference was now given to their side : he had declared war with the dead, whom the Pagans themselves respected : was at open hostility with Heaven ; and had engaged, in professed enmity, with the whole host of saints and angels. Above all, he was often reproached with his resemblance to the emperor, Julian, whom, it was said, he imitated in his apostacy and learning, though he fell short of him in morals. Henry could distinguish, in some of these libels, the style and animosity of his kinsman, Pole ; and he was thence incited to vent his rage, by every possible expedient, on that famous cardinal.

Cardinal  
Pole.

Reginald de la Pole, or Reginald Pole, was descended from the royal family, being fourth son of the countess of Salisbury, daughter of the duke of Clarence. He gave, in early youth, indications of that fine genius, and generous disposition, by which, during his whole life, he was so much distinguished ; and Henry, having conceived great friendship for him, intended to raise him to the highest ecclesiastical dignities ; and, as a pledge of future favours, he conferred on him the deanery of Exeter,<sup>2</sup> the better to support him in his education. Pole was carrying on his

<sup>1</sup> Burnet, vol. i. p. 237.

<sup>2</sup> Goodwin's Annals.



studies in the university of Paris, at the time when the king solicited the suffrages of that learned body, in favour of his divorce; but, though applied to by the English agent, he declined taking any part in the affair. Henry bore this neglect with more temper than was natural to him; and he appeared unwilling, on that account, to renounce all friendship with a person, whose virtues and talents, he hoped, would prove useful, as well as ornamental, to his court and kingdom. He allowed him still to possess his deanery, and gave him permission to finish his studies at Padua: he even paid him some court, in order to bring him into his measures; and wrote to him, while in that university, desiring him to give his opinion freely, with regard to the late measures, taken in England, for abolishing the papal authority. Pole had now contracted an intimate friendship with all persons eminent for dignity or merit, in Italy, Sadolet, Bembo, and other revivers of true taste and learning; and he was moved, by these connexions, as well as by religious zeal, to forget, in some respect, the duty which he owed to Henry, his benefactor and his sovereign. He replied by writing a treatise of *the unity of the church*, in which he inveighed against the king's supremacy, his divorce, his second marriage; and he even exhorted the emperor to revenge on him the injury done to the imperial family and to the catholic cause. Henry, though provoked beyond measure at this outrage, dissembled his resentment; and he sent a message to Pole, desiring him to return to England, in order to explain certain passages in his book, which he found somewhat obscure and difficult. Pole was on his guard against this insidious invitation; and was determined to remain in Italy, where he was universally beloved.

The pope and emperor thought themselves obliged to provide for a man of Pole's eminence and dignity, who, in support of their cause, had sacrificed all his pretensions to fortune, in his own country. He was created a cardinal; and though he took not higher orders than those of a deacon, he was sent legate into Flanders, about the year 1536.<sup>1</sup> Henry was sensible, that Pole's chief intention in choosing that employment, was to foment the mutinous disposition of the English catholics; and he, therefore, remonstrated, in so vigorous a manner, with the queen of Hungary, regent of the Low Countries, that she dismissed the legate, without allowing him to exercise his functions. The enmity which he bore to Pole was now as open as it was violent; and the cardinal, on his part, kept no farther measures in his intrigues against Henry. He is even suspected of having aspired to the crown, by means of a marriage with the lady Mary; and the king was every day more alarmed, by informations which he received, of the correspondence maintained in England by that fugitive. Courtney, marquis of Exeter, had entered into a conspiracy with him; Sir Edward Nevil, brother to the lord

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Abergavenny; Sir Nicholas Carew, master of horse, and knight of the garter; Henry de la Pole, lord Montacute; and Sir Geoffrey de la Pole, brothers to the cardinal. These persons were indicted, and tried, and convicted, before lord Audley, who presided, in the trial, as high steward: they were all executed, except Sir Geoffrey de la Pole, who was pardoned; and he owed this grace to his having first carried to the king secret intelligence of the conspiracy. We know little concerning the justice or iniquity of the sentence pronounced against these men: we only know, that the condemnation of a man, who was, at that time, prosecuted by the court, forms no presumption of his guilt; though, as no historian of credit mentions, in the present case, any complaint occasioned by these trials, we may presume, that sufficient evidence was produced against the marquis of Exeter and his associates.<sup>1</sup>

<sup>1</sup> Herbert in Kennet, p. 216.

## CHAPTER XXXII.

Disputation with Lambert—A Parliament—Law of the Six Articles—Proclamations made equal to Laws—Settlement of the Succession—King's projects of Marriage—He marries Anne of Cleves—He dislikes her—A Parliament—Fall of Cromwell—His Execution—King's Divorce from Anne of Cleves—His Marriage with Catharine Howard—State of affairs in Scotland—Discovery of the Queen's dissolute life—A Parliament—Ecclesiastical Affairs.

THE rough hand of Henry seemed well adapted for rending asunder those bands, by which the ancient superstition had fastened itself on the kingdom; and though, after renouncing the pope's supremacy, and suppressing monasteries, most of the political ends of reformation were already attained, few people expected that he would stop at those innovations. The spirit of opposition, it was thought, would carry him to the utmost extremities against the church of Rome, and lead him to declare war against the whole doctrine and worship, as well as discipline, of that mighty hierarchy. He had formerly appealed from the pope, to a general council; but now, when a general council was summoned, to meet at Mantua, he previously renounced all submission to it, as summoned by the pope, and lying, entirely, under subjection to that spiritual usurper. He engaged his clergy to make a declaration to the like purpose; and he had prescribed to them many other deviations from ancient tenets and practices. Cranmer took advantage of every opportunity to carry him on in this course; and while queen Jane lived, who favoured the reformers, he had, by means of her insinuation and address, been successful in his endeavours. After her death, Gardiner, who was returned from his embassy to France, kept the king more in suspense; and, by feigning an unlimited submission to his will, was frequently able to guide him to his own purposes. Fox, bishop of Hereford, had supported Cranmer in his schemes for a more thorough reformation; but his death had made way for the promotion of Bonner, who, though he had hitherto seemed a furious enemy to the court of Rome, was determined to sacrifice every thing to present interest, and had joined the confederacy of Gardiner, and the partisans of the old religion. Gardiner himself, it was believed, had secretly entered into measures with the pope, and even with the emperor; and, in concert with these powers, he endeavoured to preserve, as much as possible, the ancient faith and worship.

Henry was so much governed by passion, that nothing could have retarded his animosity and opposition, against Rome, but some other passion, which stopped his career, and raised him new objects of animosity. Though he had gradually, since the commencement of his scruples, with regard to his first marriage, been changing the tenets of that theological system, in which he had been educated, he was no less positive and dogmatical,

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in the few articles which remained to him, than if the whole fabric had continued entire and unshaken. And, though he stood alone, in his opinion, the flattery of courtiers had so inflamed his tyrannical arrogance, that he thought himself entitled to regulate, by his own particular standard, the religious faith of the whole nation. The point, on which he chiefly rested his orthodoxy, happened to be the real presence; that very doctrine, in which, among the numberless victories of superstition, over common sense, her triumph is the most signal and egregious. All departure from this principle, he held, to be heretical and detestable; and nothing, he thought, would be more honourable for him, than while he broke off all connexions with the Roman pontiff, to maintain, in this essential article, the purity of the catholic faith.

Disputa-  
tion with  
Lambert.

There was one Lambert,<sup>1</sup> a schoolmaster, in London, who had been questioned and confined, for unsound opinions, by archbishop Warham; but, upon the death of that prelate, and the change of counsels at court, he had been released. Not terrified with the danger which he had incurred, he still continued to promulgate his tenets; and having heard Dr. Taylor, afterwards bishop of Lincoln, defend, in a sermon, the corporal presence, he could not forbear expressing, to Taylor, his dissent from that doctrine; and he drew up his objections, under ten several heads. Taylor communicated the paper to Dr. Barnes, who happened to be a Lutheran, and who maintained, that though the substance of bread and wine remained in the sacrament, yet the real body and blood of Christ were there also, and were, in a certain mysterious manner, incorporated with the material elements. By the present laws and practice, Barnes was no less exposed to the stake than Lambert; yet, such was the persecuting rage which prevailed, that he determined to bring this man to condign punishment; because, in their common departure from the ancient faith, he had dared to go one step farther than himself. He engaged Taylor to accuse Lambert, before Cranmer and Latimer, who, whatever their private opinions might be, on these points, were obliged to conform themselves to the standard of orthodoxy, established by Henry. When Lambert was cited before these prelates, they endeavoured to bend him to a recantation; and they were surprised, when, instead of complying, he ventured to appeal to the king.

The king, not displeased with an opportunity, where he could, at once, exert his supremacy, and display his learning, accepted the appeal; and resolved to mislead, in a very unfair manner, the magistrate with the disputant. Public notice was given, that he intended to enter the lists with the schoolmaster: scaffolds were erected, in Westminster-hall, for the accommodation of the audience: Henry appeared, on his throne, accompanied with all

<sup>1</sup> Fox, vol. ii. p. 396.



the ensigns of majesty: the prelates were placed on his right hand; the temporal peers on his left: the judges and most eminent lawyers had a place assigned them behind the bishops: the courtiers of greatest distinction behind the peers: and in the midst of this splendid assembly was produced the unhappy Lambert, who was required to defend his opinions against his royal antagonist.<sup>1</sup>

The bishop of Chichester opened the conference, by saying, that Lambert, being charged with heretical pravity, had appealed from his bishop to the king; as if he expected more favour from this application, and as if the king could ever be induced to protect a heretic; that, though his majesty had thrown off the usurpation of the see of Rome; had disincorporated some idle monks, who lived like drones in a bee-hive, and abolished the idolatrous worship of images; had published the Bible, in English, for the instruction of all his subjects; and had made some lesser alterations, which every one must approve of; yet was he determined to maintain the purity of the catholic faith, and to punish, with the utmost severity, all departure from it: and, that he had taken the present opportunity, before so learned and grave an audience, of convincing Lambert of his errors; but if he still continued obstinate in them, he must expect the most condign punishment.<sup>2</sup>

After this preamble, which was not very encouraging, the king asked Lambert, with a stern countenance, what his opinion was of Christ's corporeal presence, in the sacrament of the altar; and when Lambert began his reply, with some compliment to his majesty, he rejected the praise, with disdain and indignation. He afterwards pressed Lambert, with arguments drawn from scripture and the schoolmen. The audience applauded the force of his reasoning, and the extent of his erudition: Cranmer seconded his proofs, by some new topics: Gardiner entered the lists, as a support to Cranmer: Tonsal took up the argument, after Gardiner: Stokesley brought fresh aid to Tonsal: six bishops more appeared successively in the field, after Stokesley; and the disputation, if it deserves the name, was prolonged for five hours: till Lambert, fatigued, confounded, browbeaten and abashed, was at last reduced to silence. The king, then returning to the charge, asked him whether he were convinced; and he proposed, as a concluding argument, this interesting question, whether he were resolved to live or die? Lambert, who possessed that courage, which consists in obstinacy, replied, that he cast himself wholly on his majesty's clemency: the king told him that he would be no protector of heretics; and, therefore, if that were his final answer, he must expect to be committed to the flames. Cromwell, as vicegerent, pronounced the sentence against him.\*

<sup>1</sup> Fox, vol. ii. p. 426.  
end of the volume.

<sup>2</sup> Goodwin's Annals.

\* See note [Y] at the

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Lambert, whose vanity had, probably, incited him the more to persevere, on account of the greatness of this public appearance, was not daunted by the terrors of the punishment, to which he was condemned. His executioners took care to make the sufferings of a man, who had personally opposed the king, as cruel as possible: he was burned at a slow fire: his legs and thighs were consumed to the stumps; and when there appeared no end of his torments, some of the guards, more merciful than the rest, lifted him on their halberts, and threw him into the flames, where he was consumed. While they were employed in this friendly office, he cried aloud, several times, *None but Christ, none but Christ*; and these words were in his mouth when he expired.<sup>1</sup>

Some few days before his execution, four Dutch anabaptists, three men and a woman, had faggots tied to their backs, at Paul's cross, and were burned in that manner. And a man and a woman, of the same sect and country, were burned in Smith-field.<sup>2</sup>

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A parlia-  
ment.  
28th April.

It was the unhappy fate of the English, during this age, that, when they laboured under any grievance, they had not the satisfaction of expecting redress from parliament: on the contrary, they had reason to dread each meeting of that assembly, and were then sure of having tyranny converted into law, and aggravated, perhaps, with some circumstance, which the arbitrary prince and his ministers had not hitherto devised, or did not think proper, of themselves, to carry into execution. This abject servility never appeared more conspicuously than in a new parliament, which the king now assembled, and which, if he had been so pleased, might have been the last that ever sat in England. But he found them too useful instruments of dominion, ever to entertain thoughts of giving them a total exclusion.

The chancellor opened the parliament, by informing the house of lords, that it was his majesty's earnest desire, to extirpate from his kingdom all diversity of opinion, in matters of religion; and, as this undertaking was, he owned, important and arduous, he desired them to choose a committee, from among themselves, who might draw up certain articles of faith, and communicate them afterwards to the parliament. The lords named the vicar-general, Cromwell, now created a peer, the archbishops of Canterbury and York, the bishops of Durham, Carlisle, Worcester, Bath and Wells, Bangor, and Ely. The house might have seen what a hopeful task they had undertaken: this small committee, itself, was agitated with such diversity of opinion, that it could come to no conclusion. The duke of Norfolk then moved, in the house, that since there were no hopes of having a report from the committee, the articles of faith, intended to be established, should be reduced to six; and a new committee be appointed, to draw an act, with regard to them. As this peer

<sup>1</sup> Fox's Acts and Monuments, p. 427. Burnet.

<sup>2</sup> Stowe, p. 556.

was understood to speak the sense of the king, his motion was immediately complied with: and after a short prorogation, the bill of the *six articles*, or the bloody bill, as the protestants justly termed it, was introduced; and, having passed the two houses, received the royal assent.

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In this law, the doctrine of the real presence was established, Law of the communion in one kind, the perpetual obligation of vows of chastity, the utility of private masses, the celibacy of the clergy, and the necessity of auricular confession. The denial of the first article, with regard to the real presence, subjected the person to death, by fire, and to the same forfeiture as in cases of treason; and admitted not the privilege of abjuring; an unheard of severity, and unknown to the inquisition itself. The denial of any other of the five articles, even though recanted, was punishable by the forfeiture of goods and chattels, and imprisonment, during the king's pleasure: an obstinate adherence to error, or a relapse, was adjudged to be felony, and punishable with death. The marriage of priests was subjected to the same punishment. Their commerce with women was, on the first offence, forfeiture and imprisonment; on the second, death. The abstaining from confession, and from receiving the eucharist, at the accustomed times, subjected the person to fine and imprisonment, during the king's pleasure; and, if the criminal persevered, after conviction, he was punishable by death and forfeiture, as in cases of felony.<sup>1</sup> Commissioners were to be appointed, by the king, for inquiring into these heresies and irregular practices; and criminals were to be tried by a jury.

The king, in framing this law, laid his oppressive hand on both parties; and even the catholics had reason to complain, that the friars and nuns, though dismissed their convent, should be capriciously restrained to the practice of celibacy:\* but, as the protestants were chiefly exposed to the severity of the statute, the misery of adversaries, according to the usual maxims of party, was regarded, by the adherents to the ancient religion, as their own prosperity and triumph. Cranmer had the courage to oppose this bill, in the house; and though the king desired him to absent himself, he could not be prevailed on to give this proof of compliance.<sup>2</sup> Henry was accustomed to Cranmer's freedom and sincerity; and, being convinced of the general rectitude of his intentions, gave him an unusual indulgence, in this particular, and never allowed even a whisper against him. That prelate, however, was now obliged, in obedience to the statute, to dismiss his wife, the niece of Osiander, a famous divine, of Nuremberg;<sup>3</sup> and Henry, satisfied with this proof of submission, showed him his former countenance and favour. Latimer and Shaxton threw up their bishoprics, on account of the law, and were committed to prison.

<sup>1</sup> 31 Hen. VIII. c. 14. Herbert in Kennet, p. 219. \* See note [Z] at the end of the volume. <sup>2</sup> Burnet, vol. i. p. 249, 270. Fox, vol. ii. p. 1037. <sup>3</sup> Herbert in Kennet, p. 219.



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Proclama-  
tions made  
equal to  
laws.

The parliament, having thus resigned all their religious liberties, proceeded to an entire surrender of their civil: and without scruple or deliberation, they made, by one act, a total subversion of the English constitution. They gave to the king's proclamation, the same force as to a statute, enacted by parliament; and, to render the matter worse, if possible, they framed this law, as if it were only declaratory, and were intended to explain the natural extent of royal authority. The preamble contains, that the king had formerly set forth several proclamations, which froward persons had willfully contemned, not considering what a king, by his royal power may do; that this license might encourage offenders, not only to disobey the laws of Almighty God, but also to dishonour the king's most royal majesty, *who may full ill bear it*; that sudden emergencies often occur, which require speedy remedies, and cannot await the slow assembling and deliberations of parliament; and that, though the king was empowered, by his authority, derived from God, to consult the public good, on these occasions, yet the opposition of refractory subjects might push him to extremity and violence: for these reasons, the parliament, that they might remove all occasion of doubt, ascertained, by a statute, this prerogative of the crown, and enabled his majesty, with the advice of his council, to set forth proclamations, enjoining obedience, under whatever pains and penalties he should think proper: and these proclamations were to have the force of perpetual laws.\*

What proves either a stupid or a wilful blindness, in the parliament, is, that they pretended, even after this statute, to maintain some limitations in the government; and they enacted, that no proclamation should deprive any person of his lawful possessions, liberties, inheritances, privileges, franchises; nor yet infringe any common law, or laudable custom of the realm. They did not consider, that no penalty could be inflicted upon the disobeying of proclamations, without invading some liberty or property of the subject; and that the power of enacting new laws, joined to the dispensing power, then exercised by the crown, amounted to a full legislative authority. It is true, the kings of England had always been accustomed, from their own authority, to issue proclamations, and to exact obedience to them; and this prerogative was, no doubt, a strong symptom of absolute government; but still there was a difference between a power which was exercised on a particular emergence, and which must be justified by the present expedience or necessity, and an authority, conferred by a positive statute, which could no longer admit of control or limitation.

Could any act be more opposite to the spirit of liberty than this law, it would have been another of the same parliament. They passed an act of attainder, not only against the marquis of Exeter, the lords, Montacute, Darcy, Hussey, and others,

\* 31 Hen. VIII. c. 8.



who had been legally tried and condemned; but also against some persons of the highest quality, who had never been accused, or examined, or convicted. The violent hatred, which Henry bore to cardinal Pole, had extended itself to all his friends and relations; and his mother, in particular, the countess of Salisbury, had, on that account, become extremely obnoxious to him. She was, also, accused of having employed her authority with her tenants, to hinder them from reading the new translation of the Bible; of having procured bulls from Rome, which it is said had been seen at Coudray, her country seat; and of having kept a correspondence with her son, the cardinal: but Henry found, either that these offences could not be proved, or that they would not, by law, be subjected to such severe punishments, as he desired to inflict upon her. He resolved, therefore, to proceed in a more summary and more tyrannical manner; and, for that purpose, he sent Cromwell, who was but too obsequious to his will, to ask the judges, whether the parliament could attain a person, who was forth-coming, without giving him any trial, or citing him to appear before them?<sup>1</sup> The judges replied, that it was a dangerous question, and that the high court of parliament ought to give the example to inferior courts, of proceeding according to justice: no inferior court could act in that arbitrary manner, and they thought that the parliament never would. Being pressed to give a more explicit answer, they replied, that if a person were attainted, in that manner, the attainder could never, afterwards, be brought in question, but must remain good in law. Henry learned, by this decision, that such a method of proceeding, though directly contrary to all the principles of equity, was yet practicable; and this being all he was anxious to know, he resolved to employ it against the countess of Salisbury. Cromwell showed to the house of peers a banner, on which were embroidered the five wounds of Christ, the symbol chosen by the northern rebels; and this banner, he affirmed, was found in the countess' house.<sup>2</sup> No other proof seems to have been produced, in order to ascertain her guilt: the parliament, without farther inquiry, passed a bill of attainder against her; and they involved, in the same bill, without any better proof, as far as appears, Gertrude, marchioness of Exeter, Sir Adrian Fortescue, and Sir Thomas Dingley. These two gentlemen were executed: the marchioness was pardoned, and survived the king; the countess received a reprieve.

The only beneficial act, passed this session, was that, by which the parliament confirmed the surrender of the monasteries; yet even this act contains much falsehood, much tyranny, and, were it not that all private rights must submit to public interest, much injustice and iniquity. The scheme of engaging the abbots to surrender their monasteries had been conducted,

<sup>1</sup> Coke's 4th Inst. p. 37, 38.<sup>2</sup> Rymer, vol. xiv. p. 652.

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as may easily be imagined, with many invidious circumstances: arts, of all kinds, had been employed; every motive, that could work on the frailty of human nature, had been set before them; and it was with great difficulty, that these dignified conventuals were brought to make a concession, which most of them regarded as destructive of their interests, as well as sacrilegious and criminal in itself.<sup>1</sup> Three abbots had shown more constancy than the rest, the abbots of Colchester, Reading, and Glastenbury; and, in order to punish them for their opposition, and make them an example to others, means had been found to convict them of treason; they had perished, by the hands of the executioner, and the revenue of the convents had been forfeited.<sup>2</sup> Besides, though none of these violences had taken place, the king knew that a surrender, made by men, who were only tenants for life, would not bear examination; and he was, therefore, resolved to make all sure, by his usual expedient, an act of parliament. In the preamble to this act, the parliament asserts, that all the surrenders made by the abbots, had been, "without constraint, of their own accord, and according to due course of common law." And, in consequence, the two houses confirm the surrenders, and secure the property of the abbey lands to the king and his successors, for ever.<sup>3</sup> It is remarkable, that all the mitred abbots still sat in the house of peers; and that none of them made any protests against this injurious statute.

In this session, the rank of all the great officers of state was fixed: Cromwell, as vicegerent, had the precedency assigned him, above all of them. It was thought singular, that a blacksmith's son, for he was no other, should have place next the royal family; and that a man, possessed of no manner of literature, should be set at the head of the church.

As soon as the act of the six articles had passed, the catholics were extremely vigilant in informing against offenders; and no less than five hundred persons were, in a little time, thrown into prison. But Cromwell, who had not had interest to prevent that act, was able, for the present, to elude its execution. Seconded by the duke of Suffolk, and chancellor Audley, as well as by Cranmer, he remonstrated against the cruelty of punishing so many delinquents; and he obtained permission to set them at liberty. The uncertainty of the king's humour gave each party an opportunity of triumphing in its turn. No sooner had Henry passed this law, which seemed to inflict so deep a wound on the reformers, than he granted a general permission, for every one to have the new translation of the Bible in his family; a concession regarded by that party, as an important victory.

Henry's projects of marriage. But as Henry was observed to be much governed by his wives, while he retained his fondness for them, the final prevalence of

<sup>1</sup> Collier, vol. ii. p. 158, and seq.    <sup>2</sup> 31 Hen. VIII. c. 10.    <sup>3</sup> 32 Hen. VIII. c. 13.

either party seemed much to depend on the choice of the future queen. Immediately after the death of Jane Seymour, the most beloved of all his wives, he began to think of a new marriage. He first cast his eye towards the dutchess dowager of Milan, niece to the emperor; and he made proposals for that alliance. But meeting with difficulties, he was carried, by his friendship for Francis, rather to think of a French princess. He demanded the dutchess dowager of Longueville, daughter of the duke of Guise, a prince of the house of Lorraine; but Francis told him, that the lady was already betrothed to the king of Scotland. The king, however, would not take a refusal: he had set his heart extremely on the match: the information, which he had received, of the dutchess' accomplishments and beauty, had prepossessed him in her favour; and, having privately sent over Meautys to examine her person, and get certain intelligence of her conduct, the accounts which that agent brought him served farther to inflame his desires. He learned that she was big made; and he thought her, on that account, the more proper match for him, who was now become somewhat corpulent. The pleasure too of mortifying his nephew, whom he did not love, was a farther incitement to his prosecution of this match; and he insisted that Francis should give him the preference to the king of Scots. But Francis, though sensible that the alliance of England was of much greater importance to his interests, would not affront his friend and ally; and, to prevent farther solicitation, he immediately sent the princess to Scotland. Not to shock, however, Henry's humour, Francis made him an offer of Mary of Bourbon, daughter of the duke of Vendome; but, as the king was informed that James had formerly rejected this princess, he would not hear any farther of such a proposal. The French monarch then offered him the choice of the two younger sisters of the queen of Scots; and he assured him, that they were nowise inferior, either in merit or size, to their eldest sister; and, that one of them was even superior in beauty. The king was as scrupulous with regard to the person of his wives, as if his heart had been really susceptible of a delicate passion; and he was unwilling to trust any relations, or even pictures, with regard to this important particular. He proposed to Francis, that they should have a conference, at Calais, on pretence of business; and that this monarch should bring along with him the two princesses of Guise, together with the finest ladies of quality in France, that he might make a choice among them. But the gallant spirit of Francis was shocked with the proposals: he was impressed with too much regard, he said, for the fair sex, to carry ladies of the first quality, like geldings, to a market, there to be chosen or rejected, by the humour of the purchaser.<sup>1</sup> Henry would hearken to none of these niceties, but still insisted on his proposal; which, however,

<sup>1</sup> Le Grand, vol. iii. p. 638.



CHAP. notwithstanding Francis's earnest desire of obliging him, was  
XXXII. finally rejected.

1539.

He mar-  
ries Anne,  
of Cleves.

The king then began to turn his thoughts towards a German alliance; and, as the princes of the Smalcaldic league were extremely disgusted with the emperor, on account of his persecuting their religion, he hoped, by matching himself into one of the families, to renew a connexion, which he regarded as so advantageous to him. Cromwell joyfully seconded this intention; and proposed to him Anne, of Cleves, whose father, the duke of that name, had great interest among the Lutheran princes, and whose sister, Sibylla, was married to the elector of Saxony, the head of the protestant league. A flattering picture of the princess, by Hans Holben, determined Henry to apply to her father: and, after some negotiation, the marriage, notwithstanding the opposition of the elector of Saxony, was at last concluded; and Anne was sent over to England. The king, impatient to be satisfied with regard to the person of his bride, came privately to Rochester, and got a sight of her. He found her big, indeed, and tall as he could wish; but utterly destitute, both of beauty and grace; very unlike the pictures and representations which he had received: he swore she was a great Flanders mare; and declared, that he never could possibly bear her any affection. The matter was worse, when he found that she could speak no language but Dutch, of which he was entirely ignorant; and that the charms of her conversation were not likely to compensate for the homeliness of her person. He returned to Greenwich, very melancholy; and he much lamented his hard fate, to Cromwell, as well as to lord Russel, Sir Anthony Brown, and Sir Anthony Denny. This last gentleman, in order to give him comfort, told him, that his misfortune was common to him, with all kings, who could not, like private persons, choose for themselves; but must receive their wives from the judgment and fancy of others.

Dislikes  
her.

It was a subject of debate, among the king's counsellors, whether the marriage could not yet be dissolved, and the princess be sent back to her own country. Henry's situation seemed, at that time, very critical. After the ten years truce, concluded between the emperor and the king of France, a good understanding was thought to have taken place between these rival monarchs; and such marks of union appeared, as gave great jealousy to the court of England. The emperor, who knew the generous nature of Francis, even put a confidence in him, which is rare, to that degree, among great princes. An insurrection had been raised, in the Low Countries, by the inhabitants of Ghent, and seemed to threaten the most dangerous consequences. Charles, who resided, at that time, in Spain, resolved to go, in person, to Flanders, in order to appease those disorders; but he found great difficulties, in choosing the manner of his passing thither. The road, by Italy and Germany, was tedious; the voyage, through the channel, dangerous, by reason of the



English naval power; he asked Francis's permission to pass through his dominions; and he intrusted himself into the hands of a rival, whom he had so mortally offended. The French monarch received him, at Paris, with great magnificence and courtesy; and though prompted, both by revenge and interest, as well as by the advice of his mistress and favourites, to make advantage of the present opportunity, he conducted the emperor safely out of his dominions; and would not so much as speak to him of business during his abode in France, lest his demands should bear the air of violence upon his royal guest.

Henry, who was informed of all these particulars, believed that an entire and cordial union had taken place between these princes; and that their religious zeal might prompt them to fall, with combined armies, upon England.<sup>1</sup> An alliance with the German princes seemed now, more than ever, requisite for his interest and safety; and he knew, that if he sent back the princess of Cleves, such an affront would be highly resented by her friends and family. He was, therefore, resolved, notwithstanding his aversion to her, to complete the marriage; and he told Cromwell, that since matters had gone so far, he must put his neck into the yoke. Cromwell, who knew how much his own interests were concerned in this affair, was very anxious to learn, from the king, next morning after the marriage, whether he now liked his spouse any better. The king told him, that he hated her worse than ever; and that her person was more disgusting, on a near approach: he was resolved never to meddle with her; and even suspected her not to be a true maid: a point, about which he entertained an extreme delicacy. He continued, however, to be civil to Anne; he even seemed to repose his usual confidence in Cromwell; but, though he exerted this command over himself, a discontent lay lurking in his breast, and was ready to burst out, on the first opportunity.

A session of parliament was held: and none of the abbots were now allowed a place in the house of peers. The king, by the mouth of the chancellor, complained to the parliament, of the great diversity of religions which still prevailed among his subjects: a grivance, he affirmed, which ought the less to be endured, because the Scriptures were now published in English, and ought universally to be the standard of belief to all mankind. But he had appointed, he said, some bishops and divines to draw up a list of tenets, to which the people were to assent; and he was determined that Christ, the doctrine of Christ, and the truth, should have the victory. The king seems to have expected more effect in ascertaining truth from this new book of his doctors, than had ensued from the publication of the Scriptures. Cromwell, as vicar-general, made also, in the king's name, a speech to the upper house; and the peers, in return, bestowed great flattery on him, and in particular, said, that he

CHAP.  
XXXII.  
1539.

1540  
6th Jan.

12th April.  
A parliament.

<sup>1</sup> Stowe, p. 579.

CHAP. was worthy, by his desert, to be vicar-general of the universe.  
 XXXII. That minister seemed to be no less in his master's good graces;  
 1540. he received, soon after the sitting of the parliament, the title of  
 earl of Essex, and was installed knight of the garter.

There remained only one religious order in England; the knights of St. John, of Jerusalem, or the knights of Malta, as they are commonly called. This order, partly ecclesiastical, partly military, had, by their valour, done great service to Christendom; and had very much retarded, at Jerusalem, Rhodes, and Malta, the rapid progress of the barbarians. During the general surrender of the religious houses, in England, they had exerted their spirit, and had obstinately refused to yield up their revenues to the king; and Henry, who would endure no society that professed obedience to the pope, was obliged to have recourse to parliament, for the dissolution of this order. Their revenues were large, and formed an addition nowise contemptible to the many acquisitions which the king had already made. But he had very ill husbanded the great revenue acquired, by the plunder of the church: his profuse generosity dissipated faster than his rapacity could supply; and the parliament was surprised, this session, to find a demand made upon them, of four-tenths, and a subsidy of one shilling in the pound, during two years: so ill were the public expectations answered, that the crown was never more to require any supply from the people. The commons, though lavish of their liberty, and of the blood of their fellow subjects, were extremely frugal of their money; and it was not without difficulty, so small a grant could be obtained by this absolute and dreaded monarch. The convocation gave the king four shillings in the pound, to be levied in two years. The pretext for these grants was, the great expense which Henry had undergone, for the defence of the realm, in building forts along the sea-coast, and in equipping a navy. As he had, at present, no ally on the continent in whom he reposed much confidence, he relied only on his domestic strength, and was, on that account, obliged to be more expensive in his preparations against the danger of an invasion.

The king's favour to Cromwell, and his acquiescence in the marriage with Anne, of Cleves, were both of them deceitful appearances: his aversion to the queen secretly increased, every day; and having, at last, broken all restraint, it prompted him at once, to seek the dissolution of a marriage so odious to him, and to involve his minister in ruin, who had been the innocent author of it. The fall of Cromwell was hastened by other causes. All the nobility hated a man, who, being of such low extraction, had not only mounted above them, by his station of vicar-general, but had engrossed many of the other considerable offices of the crown: besides enjoying that commission, which gave him a high and almost absolute authority over the clergy, and even over the laity, he was privy seal, chamberlain, and master of the wards: he had, also, obtained the order

Fall of  
Cromwell.

of the garter, a dignity which had ever been conferred only on men of illustrious families, and which seemed to be profaned, by its being communicated to so mean a person. The people were averse to him, as the supposed author of the violence on the monasteries; establishments, which were still revered and beloved by the commonalty. The catholics regarded him as the concealed enemy of their religion: the protestants, observing his exterior concurrence with all the prosecutions exercised against them, were inclined to bear him as little favour, and reproached him with the timidity, if not treachery, of his conduct: and the king, who found that great clamours had, on all hands, arisen against the administration, was not displeased to throw on Cromwell the load of public hatred; and he hoped, by making so easy a sacrifice, to regain the affection of his subjects.

But there was another cause, which suddenly set all these motives in action, and brought about an unexpected revolution in the ministry. The king had fixed his affection on Catharine Howard, niece to the duke of Norfolk; and being determined to gratify this new passion, he could find no expedient, but by procuring a divorce from his present consort, to raise Catharine to his bed and throne. The duke, who had long been engaged in enmity with Cromwell, made the same use of her insinuations to ruin this minister, that he had formerly done of Anne Boleyn's against Wolsey: and when all engines were prepared, he obtained a commission from the king to arrest Cromwell, at the council table, on an accusation of high treason, and to commit him to the Tower. Immediately after, a bill of attainder was framed against him; and the house of peers thought proper, without trial, examination or evidence, to condemn to death a man whom, a few days before, they had declared worthy to be vicar-general of the universe. The house of commons passed the bill, though not without some opposition. Cromwell was accused of heresy and treason; but the proofs of his treasonable practices are utterly improbable, and even absolutely ridiculous.<sup>1</sup> The only circumstance of his conduct, by which he seems to have merited this fate, was his being the instrument of the king's tyranny, in conducting like iniquitous bills, in the preceding session, against the countess of Salisbury and others.

Cromwell endeavoured to soften the king, by the most humble supplications; but all to no purpose: it was not the practice of that prince to ruin his ministers and favourites by halves; and, though the unhappy prisoner once wrote to him in so moving a strain as even to draw tears from his eyes, he hardened himself against all movement of pity, and refused his pardon. The conclusion of Cromwell's letter ran in these words: "I, a most woful prisoner, am ready to submit to death, when it shall please God" and your majesty; and yet the frail flesh incites me to call to

<sup>1</sup> Burnet, vol. i. p. 278.

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XXXII.

1540.  
28th July.  
His execution.

"your grace for mercy and pardon of mine offences. Written at the tower, with the heavy heart and trembling hand of your highness' most miserable prisoner and poor slave, Thomas Cromwell." And, a little below, "Most gracious prince, I cry for mercy, mercy, mercy."<sup>1</sup> When brought to the place of execution, he avoided all earnest protestations of his innocence, and all complaints against the sentence pronounced upon him. He knew that Henry would resent, on his son, those symptoms of opposition to his will, and that his death, alone, would not terminate that monarch's vengeance. He was a man of prudence, industry and abilities; worthy of a better master, and a better fate. Though raised to the summit of power from a low origin, he betrayed no insolence or contempt towards his inferiors, and was careful to remember all the obligations which, during his more humble fortune, he had owed to any one. He had served, as a private sentinel, in the Italian wars; when he received some good offices from a Lucquese merchant, who had entirely forgotten his person, as well as the service which he had rendered him. Cromwell, in his grandeur, happened, at London, to cast his eye on his benefactor, now reduced to poverty, by misfortunes. He immediately sent for him, reminded him of their ancient friendship, and, by his grateful assistance, reinstated him in his former prosperity and opulence.<sup>2</sup>

King's divorce from Anne, of Cleves.

The measures for divorcing Henry from Anne, of Cleves, were carried on at the same time with the bill of attainder against Cromwell. The house of peers, in conjunction with the commons, applied to the king, by petition, desiring that he would allow his marriage to be examined; and orders were immediately given to lay the matter before the convocation. Anne had formerly been contracted, by her father, to the duke of Lorraine; but she, as well as the duke, was, at that time, under age, and the contract had been afterwards annulled, by consent of both parties. The king, however, pleaded this precontract, as a ground of divorce; and he added two reasons more, which may seem a little extraordinary; that, when he espoused Anne, he had not *inwardly* given his consent, and that he had not thought proper to consummate the marriage. The convocation was satisfied with these reasons, and solemnly annulled the marriage between the king and queen: the parliament ratified the decision of the clergy;\* and the sentence was, soon after, notified to the princess.

Anne was blest with a happy insensibility of temper, even in the points which the most nearly affect her sex; and the king's aversion towards her, as well as his prosecution of the divorce, had never given her the least uneasiness. She willingly hearkened to terms of accommodation with him; and, when he of-

<sup>1</sup> Burnet, vol. i. p. 281, 282.  
at the end of the volume.

<sup>2</sup> Burnet, vol. i. p. 172.

\* See note [A2]



ferred to adopt her as his sister, to give her place next the queen and his own daughter, and to make a settlement of three thousand pounds a year upon her; she accepted of the conditions, and gave her consent to the divorce.<sup>1</sup> She even wrote to her brother (for her father was now dead), that she had been very well used in England, and desired him to live on good terms with the king. The only instance of pride which she betrayed, was, that she refused to return to her own country, after the affront which she had received; and she lived and died in England.

Notwithstanding Anne's moderation, this incident produced a great coldness between the king and the German princes; but, as the situation of Europe was now much altered, Henry was the more indifferent about their resentment. The close intimacy which had taken place between Francis and Charles, had subsisted during a very short time; the dissimilarity of their characters soon renewed, with greater violence than ever, their former jealousy and hatred. While Charles remained at Paris, Francis had been imprudently engaged, by his open temper, and by that satisfaction which a noble mind naturally feels in performing generous actions, to make, in confidence, some dangerous discoveries to that interested monarch; and, having now lost all suspicion of his rival, he hoped that the emperor and he, supporting each other, might neglect every other alliance. He not only communicated to his guest the state of his negotiations with sultan Solymán and the Venetians; he also laid open the solicitations, which he had received from the court of England, to enter into a confederacy against him.<sup>2</sup> Charles had no sooner reached his own dominions, than he showed himself unworthy of the friendly reception which he had met with. He absolutely refused to fulfil his promise, and put the duke of Orleans in the possession of the Milanese: he informed Solymán, and the senate of Venice, of the treatment which they had received from their ally; and he took care that Henry should not be ignorant, how readily Francis had abandoned his ancient friend, to whom he owed such important obligations, and had sacrificed him to a new confederate: he even poisoned and misrepresented many things, which the unsuspecting heart of the French monarch had disclosed to him. Had Henry possessed true judgment and generosity, this incident, alone, had been sufficient to guide him in the choice of his ally. But his domineering pride carried him, immediately, to renounce the friendship of Francis, who had so unexpectedly given the preference to the emperor: and, as Charles invited him to a renewal of ancient amity, he willingly accepted of the offer; and thinking himself secure in this alliance, he neglected the friendship, both of Francis and of the German princes.

<sup>1</sup> Herbert, p. 458, 459.    <sup>2</sup> Pere Daniel. Du Tillet.

CHAP.  
XXXII.

1540.

8th Aug.  
His marriage with  
Catharine  
Howard.

The new turn which Henry had taken, with regard to foreign affairs, was extremely agreeable to his catholic subjects; and, as it had, perhaps, contributed, among other reasons, to the ruin of Cromwell, it made them entertain hopes of a final prevalence over their antagonists. The marriage of the king with Catharine Howard, which followed, soon after his divorce from Anne, of Cleves, was also regarded as a favourable incident to their party; and the subsequent events corresponded to their expectations. The king's councils, being now directed by Norfolk and Gardiner, a furious persecution commenced against the protestants; and the law of the six articles was executed with rigour. Dr. Barnes, who had been the cause of Lambert's execution, felt, in his turn, the severity of the persecuting spirit; and by a bill which passed in parliament, he was, without trial, condemned to the flames, together with Jerome and Gerrard. He discussed theological questions, even at the stake; and, as the dispute between him and the sheriff turned upon the invocation of saints, he said, that he doubted whether the saints could pray for us; but, if they could, he hoped, in half an hour, to be praying for the sheriff and all the spectators. He next entreated the sheriff to carry to the king his dying request, which he fondly imagined would have authority with that monarch, who had sent him to the stake. The purport of his request was, that Henry, besides repressing superstitious ceremonies, should be extremely vigilant in preventing fornication and common swearing.<sup>1</sup>

While Henry was exerting his violence against the protestants, he spared not the catholics, who denied his supremacy; and a foreigner, at that time in England, had reason to say, that those who were against the pope, were burned, and those who were for him, were hanged.<sup>2</sup> The king even displayed, in an ostentatious manner, this tyrannical impartiality, which reduced both parties to subjection, and infused terror into every breast.—Barnes, Gerrard, and Jerome, had been carried to the place of execution, on three hurdles; and, along with them, there was placed on each hurdle a catholic, who was also executed for his religion. These catholics were Abel, Fetherstone, and Powel, who declared, that the most grievous part of their punishment was, the being coupled to such heretical miscreants as suffered with them.<sup>3</sup>

1541.

Though the spirit of the English seemed to be totally sunk, under the despotic power of Henry, there appeared some symptoms of discontent: an inconsiderable rebellion broke out in Yorkshire, headed by Sir John Nevil; but it was soon suppressed, and Nevil, with other ringleaders, was executed. The rebels were supposed to have been instigated by the intrigues of cardinal Pole; and the king was instantly determined to make the

<sup>1</sup> Burnet, vol. i. p. 298. Fox.    <sup>2</sup> Fox, vol. ii. p. 529.    <sup>3</sup> Saunders, de Schism. Angl.

countess of Salisbury, who already lay under sentence of death, suffer for her son's offences. He ordered her to be carried to execution; and this venerable matron maintained still, in these distressful circumstances, the spirit of that long race of monarchs, from whom she was descended.<sup>1</sup> She refused to lay her head on the block, or submit to a sentence, where she had received no trial. She told the executioner, that if he would have her head, he must win it the best way he could: and thus, shaking her venerable gray locks, she ran about the scaffold; and the executioner followed her, with his axe, aiming many fruitless blows at her neck, before he was able to give the fatal stroke. Thus perished the last of the line of Plantagenet, which, with great glory, but still greater crimes and misfortunes, had governed England, for the space of three hundred years. Lord Leonard Grey, a man who had formerly rendered service to the crown, was also beheaded, for treason, soon after the countess of Salisbury. We know little concerning the grounds of his prosecution.

CHAP.  
XXXII.1541.  
27th May.

The insurrection in the north, engaged Henry to make a progress thither, in order to quiet the minds of his people, to reconcile them to his government, and to abolish the ancient superstitions, to which those parts were much addicted. He had, also, another motive for this journey: he proposed to have a conference, at York, with his nephew, the king of Scotland, and, if possible, to cement a close and indissoluble union with that kingdom.

The same spirit of religious innovation which had seized other parts of Europe, had made its way into Scotland, and had begun, before this period, to excite the same jealousies, fears, and persecutions. About the year 1527, Patrick Hamilton, a young man of a noble family, having been created abbot of Ferne, was sent abroad for his education; but had fallen into company with some reformers, and he returned into his own country, very ill disposed towards that church, of which his birth and his merit entitled him to attain the highest dignities. The fervour of youth, and his zeal for novelty, made it impossible for him to conceal his sentiments; and Campbell, prior of the Dominicans, who, under colour of friendship, and a sympathy in opinion, had insinuated himself into his confidence, accused him before Beaton, archbishop of St. Andrews. Hamilton was invited to St. Andrews, in order to maintain, with some of the clergy, a dispute concerning the controverted points; and after much reasoning, with regard to justification, free will, original sin, and other topics of that nature, the conference ended, with their condemning Hamilton to be burned, for his errors. The young man, who had been deaf to the insinuations of ambition, was less likely to be shaken with the fears of death; while he proposed to himself, both the glory of bearing testimony to the truth, and

State of af-  
fairs in  
Scotland.<sup>1</sup> Herbert, p. 468.

CHAP.  
XXXII.

1541.

the immediate reward attending his martyrdom. The people, who compassionated his youth, his virtue, and his noble birth, were much moved at the constancy of his end; and an incident, which soon followed, still more confirmed them in their favourable sentiments towards him. He had cited Campbel, who still insulted him at the stake, to answer before the judgment seat of Christ; and as that persecutor, either astonished with these events, or overcome with remorse, or, perhaps, seized casually with a distemper, soon after lost his senses, and fell into a fever, of which he died; the people regarded Hamilton as a prophet, as well as a martyr.<sup>1</sup>

Among the disciples converted by Hamilton, was one friar, Forrest, who, because a zealous preacher, and who, though he did not openly discover his sentiments, was suspected to lean towards the new opinions. His diocesan, the bishop of Dunkel, enjoined him, when he met with a good epistle or good gospel, which favoured the liberties of holy church, to preach on it, and let the rest alone. Forrest replied, that he had read both Old and New Testament, and had not found an ill epistle, or ill gospel, in any part of them. The extreme attachment to the Scriptures was regarded, in those days, as a sure characteristic of heresy; and Forrest was, soon after, brought to trial, and condemned to the flames. While the priests were deliberating on the place of his execution, a bystander advised them to burn him in a cellar: for, that the smoke of Mr. Patric Hamilton had infected all those on whom it blew.<sup>2</sup>

The clergy were, at that time, reduced to great difficulties, not only in Scotland, but all over Europe. As the reformers aimed at a total subversion of ancient establishments, which they represented as idolatrous, impious, and detestable; the priests, who found both their honours and properties at stake, thought that they had a right to resist, by every expedient, these dangerous invaders, and that the same simple principles of equity, which justified a man in killing a pirate or a robber, would acquit them for the execution of such heretics. A toleration, though it is never acceptable to ecclesiastics, might, they said, be admitted in other cases; but seemed an absurdity, where fundamentals were shaken, and where the possessions, and even the existence of the established clergy, were brought in danger. But though the church was thus carried, by policy, as well as inclination, to kindle the fires of persecution, they found the success of this remedy very precarious, and observed, that the enthusiastic zeal of the reformers, inflamed by punishment, was apt to prove contagious on the compassionate minds of the spectators. The new doctrine, amidst all the dangers to which it was exposed, secretly spread itself every where; and the minds of men were gradually disposed to a revolution in religion.

But the most dangerous symptom, for the clergy in Scotland,

<sup>1</sup> Spotswood's Hist. of the Church of Scotland, p. 62. <sup>2</sup> Ibid. p. 65.



was, that the nobility, from the example of England, had cast a wishful eye on the church revenues, and<sup>1</sup> hoped, if a reformation took place, to enrich themselves by the plunder of the ecclesiastics. James himself, who was very poor, and was somewhat inclined to magnificence, particularly in building, had been swayed by like motives; and began to threaten the clergy with the same fate that had attended them in the neighbouring country. Henry, also, never ceased exhorting his nephew to imitate his example; and being moved, both by the pride of making proselytes, and the prospect of security should Scotland embrace a close union with him, he solicited the king of Scots to meet him at York; and he obtained a promise to that purpose.

The ecclesiastics were alarmed at this resolution of James, and they employed every expedient, in order to prevent the execution of it. They represented the danger of innovation; the pernicious consequences of aggrandizing the nobility, already too powerful; the hazard of putting himself into the hands of the English, his hereditary enemies; the dependence on them which must ensue, upon his losing the friendship of France, and of all foreign powers. To these considerations, they added the prospect of immediate interest, by which they found the king to be much governed: they offered him a present gratuity of fifty thousand pounds; they promised him that the church should always be ready to contribute to his supply; and they pointed out to him the confiscation of heretics, as the means of filling his exchequer, and of adding a hundred thousand pounds a year to the crown revenues.<sup>1</sup> The insinuations of his new queen, to whom youth, beauty, and address had given a powerful influence over him, seconded all these reasons; and James was at last engaged, first to delay his journey, then to send an excuse to the king of England, who had already come to York, in order to be present at the interview.<sup>2</sup>

Henry, vexed with the disappointment, and enraged at the affront, vowed vengeance against his nephew; and he began, by permitting piracies at sea, and incursions at land, to put his threats in execution. But he received soon after, in his own family, an affront, to which he was much more sensible, and which touched him in a point where he always showed an extreme delicacy. He had thought himself very happy in his new marriage: the agreeable person and disposition of Catharine had entirely captivated his affections; and he made no secret of his devoted attachment to her. He had, even publicly, in his chapel, returned solemn thanks to heaven for the felicity which the

<sup>1</sup> Buchanan, lib. 14. Drummond in Ja. 5. Pitscotie, *ibid.* Knox. <sup>2</sup> Henry had sent some books, richly ornamented, to his nephew, who, as soon as he saw, by the titles, that they had a tendency to defend the new doctrines, threw them into the fire, in the presence of the person who brought them: adding, it was better he should destroy them, than they him. See Epist. Reginald Pole, part i. p. 172.

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Discovery  
of the  
queen's  
dissolute  
life.

conjugal state afforded him; and directed the bishop of Lincoln to compose a form of prayer for that purpose. But the queen's conduct very little merited this tenderness: one Lascelles brought intelligence of her dissolute life to Cranmer; and told him, that his sister, formerly a servant in the family of the old dutchess of Norfolk, with whom Catharine was educated, had given him a particular account of her licentious manners. Derham and Mannoc, both of them servants to the dutchess, had been admitted to her bed: and she had even taken little care to conceal her shame from the other servants of the family. The primate, struck with this intelligence, which it was equally dangerous to conceal or to discover, communicated the matter to the earl of Hertford and to the chancellor. They agreed, that the matter should, by no means, be buried in silence; and the archbishop himself seemed the most proper person to disclose it to the king. Cranmer, unwilling to speak on so delicate a subject, wrote a narrative of the whole, and conveyed it to Henry, who was infinitely astonished at the intelligence. So confident was he of the fidelity of his consort, that, at first, he gave no credit to the information; and he said to the privy seal, to lord Russel, high admiral, Sir Anthony Brown, and Wriothesley, that he regarded the whole as a falsehood. Cranmer was now in a very perilous situation; and had not full proof been found, certain and inevitable destruction hung over him. The king's impatience, however, and jealousy, prompted him to search the matter to the bottom: the privy seal was ordered to examine Lascelles, who persisted in the information he had given; and still appealed to his sister's testimony. That nobleman next made a journey, under pretence of hunting, and went to Sussex, where the woman, at this time, resided: he found her both constant in her former intelligence, and particular as to the facts; and the whole bore but too much the face of probability. Mannoc and Derham, who were arrested at the same time, and examined by the chancellor, made the queen's guilt entirely certain, by their confession; and discovered other particulars, which redounded still more to her dishonour. Three maids, of the family, were admitted into her secrets, and some of them had even passed the night in bed with her and her lovers. All the examinations were laid before the king, who was so deeply affected that he remained a long time speechless, and at last burst into tears. He found, to his surprise, that his great skill in distinguishing a true maid, of which he boasted, in the case of Anne, of Cleves, had failed him in that of his present consort. The queen being next questioned, denied her guilt; but, when informed that a full discovery was made, she confessed that she had been criminal before marriage; and only insisted that she had never been false to the king's bed. But, as there was evidence that one Colepepper had passed the night with her, alone, since her marriage; and as it appeared that she had taken Derham, her old paramour, into her service, she seemed to deserve little credit in

this asseveration ; and the king, besides, was not of a humour to make any difference between these degrees of guilt.

Henry found, that he could not, by any means, so fully or expeditiously satiate his vengeance on all these criminals, as by assembling a parliament, the usual instrument of his tyranny. The two houses, having received the queen's confession, made an address to the king. They entreated him not to be vexed with this untoward accident, to which all men were subject; but to consider the frailty of human nature, and the mutability of human affairs; and from these views to derive a subject of consolation. They desired leave to pass a bill of attainder against the queen, and her accomplices; and they begged him to give his assent to this bill, not in person, which would renew his vexation, and might endanger his health, but by commissioners appointed for that purpose. And as there was a law in force, making it treason to speak ill of the queen, as well as of the king, they craved his royal pardon, if any of them should, on the present occasion, have transgressed any part of the statute.

Having obtained a gracious answer to these requests, the parliament proceeded to vote a bill of attainder, for treason, against the queen, and the viscountess of Rocheford, who had conducted her secret amours; and in this bill Colepepper and Derham were also comprehended. At the same time, they passed a bill of attainder, for misprision of treason, against the old dutchess of Norfolk, Catharine's grandmother, her uncle, lord William Howard, and his lady, together with the countess of Bridgewater, and nine persons more; because, they knew the queen's vicious course of life, before her marriage, and had concealed it. This was an effect of Henry's usual extravagance, to expect that parents should so far forget the ties of natural affection, and the sentiments of shame and decency, as to reveal to him the most secret disorders of their family. He himself seems to have been sensible of the cruelty of this proceeding: for he pardoned the dutchess of Norfolk, and most of the others condemned for misprision of treason.

However, to secure himself for the future, as well as his successors, from this fatal accident, he engaged the parliament to pass a law somewhat extraordinary. It was enacted, that any one who knew, or vehemently suspected any guilt in the queen, might, within twenty days, disclose it to the king or council, without incurring the penalty of any former law against defaming the queen; but prohibiting every one, at the same time, from spreading the matter abroad, or even privately whispering it to others: it was also enacted, that if the king married any woman, who had been incontinent, taking her for a true maid, she should be guilty of treason, if she did not previously reveal her guilt to him. The people made merry with this singular clause, and said that the king must henceforth look out for a widow; for no reputed maid would ever be persuaded to incur the pe-

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nalty of the statute.<sup>1</sup> After all these laws were passed, the queen was beheaded on Tower-hill, together with lady Rocheford. They behaved in a manner suitable to their dissolute life: and as lady Rocheford was known to be the chief instrument in bringing Anne Boleyn to her end, she died unpitied; and men were farther confirmed, by the discovery of this woman's guilt, in the favourable sentiments which they had entertained of that unfortunate queen.

The king made no demand of any subsidy from this parliament; but he found means of enriching his exchequer from another quarter: he took farther steps towards the dissolution of colleges, hospitals, and other foundations of that nature. The courtiers had been practising on the presidents and governors, to make a surrender of their revenues to the king; and they had been successful with eight of them. But there was an obstacle to their farther progress: it had been provided by the local statutes of most these foundations, that no president, or any number of fellows, could consent to such a deed, without the unanimous vote of all the fellows; and this vote was not easily obtained. All such statutes were annulled by parliament; and the revenues of these houses were now exposed to the rapacity of the king and his favourites.\* The church had been so long their prey, that nobody was surprised at any new inroads made upon her. From the regular, Henry now proceeded to make devastations on the secular clergy. He extorted from many of the bishops a surrender of chapter lands; and by this device he pillaged the sees of Canterbury, York and London, and enriched his greedy parasites and flatterers with their spoils.

Ecclesiastical affairs.

The clergy have been commonly so fortunate as to make a concern for their temporal interests go hand in hand with a jealousy for orthodoxy, and both these passions be regarded by the people, ignorant and superstitious, as proofs of zeal for religion: but the violent and headstrong character of Henry now disjoined these objects. His rapacity was gratified, by plundering the church; his bigotry and arrogance, by persecuting heretics. Though he engaged the parliament to mitigate the penalties of the six articles, as far as regards the marriage of priests, which was now only subjected to a forfeiture of goods, chattels, and lands, during life, he was still equally bent on maintaining a rigid purity, in speculative principles. He had appointed a commission, consisting of the two archbishops, and several bishops, of both provinces, together with a considerable number of doctors of divinity; and, by virtue of his ecclesiastical supremacy, he had given them in charge to choose a religion for his people. Before the commissioners had made any progress in this arduous undertaking, the parliament, in 1541, had passed a law, by which they ratified all the tenets which these divines should thereafter establish, with the king's consent: and they were not ashamed of thus ex-

<sup>1</sup> Burnet, vol. i. p. 314. \* See note [B2] at the end of the volume.



pressly declaring, that they took their religion upon trust, and had no other rule, in spiritual, as well as temporal concerns, than the arbitrary will of their master. There is only one clause of the statute, which may seem, at first sight, to savour somewhat of the spirit of liberty: it was enacted, that the ecclesiastical commissioners should establish nothing repugnant to the laws and statutes of the realm. But, in reality, this proviso was inserted by the king, to serve his own purposes. By introducing a confusion and contradiction into the laws, he became more master of every one's life and property. And, as the ancient independence of the church still gave him jealousy, he was well pleased, under cover of such a clause, to introduce appeals from the spiritual to the civil courts. It was for a like reason that he would never promulgate a body of canon laws; and he encouraged the judges, on all occasions, to interpose in ecclesiastical causes, wherever they thought the law of royal prerogative concerned. A happy innovation; though at first invented for arbitrary purposes!

The king, armed by the authority of parliament, or rather by their acknowledgment of that spiritual supremacy which he believed inherent in him, employed his commissioners to select a system of tenets, for the assent and belief of the nation. A small volume was, soon after, published, called the *Institution of a Christian Man*, which was received by the convocation, and voted to be the standard of orthodoxy. All the delicate points of justification, faith, free-will, good works and grace, are there defined, with a leaning towards the opinion of the reformers: the sacraments, which, a few years before, were only allowed to be three, were now increased to the number of seven, conformably to the sentiments of the catholics. The king's caprice is discernible throughout the whole; and the book is, in reality, to be regarded as his composition. For Henry, while he made his opinion a rule for the nation, would tie his own hands by no canon or authority, not even by any which he himself had formerly established.

The people had occasion, soon after, to see a farther instance of the king's inconstancy. He was not long satisfied with his *Institution of a Christian Man*: he ordered a new book to be composed, called the *Erudition of a Christian Man*; and, without asking the assent of the convocation, he published, by his own authority and that of the parliament, this new model of orthodoxy. It differs from the *Institution*;¹ but the king was no less positive in his new creed than he had been in the old; and he required the belief of the nation to veer about, at his signal. In both these compositions, he was particularly careful to inculcate the doctrine of passive obedience; and he was equally careful to retain the nation in the practice.

While the king was spreading his own books among the peo-

¹ Collier, vol. ii, p. 190.

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ple, he seems to have been extremely perplexed, as were also the clergy, what course to take with the Scriptures. A review had been made, by the synod, of the new translation of the Bible; and Gardiner had proposed, that instead of employing English expressions throughout, several Latin words should still be preserved; because they contained, as he pretended, such peculiar energy and significance, that they had no correspondent terms in the vulgar tongue.<sup>1</sup> Among these were, *ecclesia*, *pœnitentia*, *pontifex*, *contritus*, *holocausta*, *sacramentum*, *elementa*, *ceremonia*, *mysterium*, *presbyter*, *sacrificium*, *humilitas*, *satisfactio*, *peccatum*, *gratia*, *hostia*, *charitas*, &c. But, as this mixture would have appeared extremely barbarous, and was plainly calculated for no other purpose than to retain the people in their ancient ignorance, the proposal was rejected. The knowledge of the people, however, at least their disputative turn, seemed to be an inconvenience still more dangerous: and the king and parliament,<sup>2</sup> soon after the publication of the Scriptures, retracted the concession, which they had formerly made, and prohibited all, but gentlemen and merchants, from perusing them.<sup>3</sup> Even that liberty was not granted without an apparent hesitation, and a dread of the consequences: these persons were allowed to read, *so it be done quietly, and with good order*. And the preamble to the act set forth, “that many seditious and ignorant persons had abused “the liberty granted them, of reading the Bible, and that great “diversity of opinion, animosities, tumults, and schisms, had “been occasioned, by perverting the sense of the Scriptures.” It seemed very difficult to reconcile the king’s model for uniformity with the permission of free inquiry.

The mass-book, also, passed under the king’s revisal; and little alteration was, as yet, made in it: some doubtful or fictitious saints only were struck out; and the name of the pope was erased. This latter precaution was, likewise, used with regard to every new book that was printed, or even old book that was sold. The word pope was carefully omitted or blotted out;<sup>4</sup> as if that precaution could abolish the term from the language; or as if such a persecution of it did not rather imprint it more strongly in the memory of the people.

The king took care, about this time, to clear the churches from another abuse, which had crept into them. Plays, interludes and farces were there often acted, in derision of the former superstitions; and the reverence of the multitude for ancient principles and modes of worship was, thereby, gradually effaced.<sup>5</sup> We do not hear that the catholics attempted to retaliate, by em-

<sup>1</sup> Burnet, vol. i. p. 315.    <sup>2</sup> Which met on the 22d of Jan. 1543.    <sup>3</sup> 33 Henry VIII. c. 1. The reading of the Bible, however, could not, at that time, have much effect in England, where so few persons had learned to read. There were but five hundred copies printed of this first authorized edition of the Bible: a book of which there are now several millions of copies in the kingdom.    <sup>4</sup> Parliamentary History, vol. iii. p. 113.    <sup>5</sup> Burnet, vol. i. p. 318.

ploying this powerful engine against their adversaries, or endeavoured, by like arts, to expose that fanatical spirit, by which it appears the reformers were frequently actuated. Perhaps the people were not disposed to relish a jest on that side: perhaps the greater simplicity, and the more spiritual abstract worship of the protestants, gave less hold to ridicule, which is commonly founded on sensible representations. It was, therefore, a very agreeable concession, which the king made to the catholic party, to suppress entirely these religious comedies.

Thus Henry laboured incessantly, by arguments, creeds and penal statutes, to bring his subjects to an uniformity in their religious sentiments: but, as he entered, himself, with the greatest earnestness, into all those scholastic disputes, he encouraged the people, by his example, to apply themselves to the study of theology; and it was in vain, afterwards, to expect, however present fear might restrain their tongues or pens, that they would cordially agree in any set of tenets or opinions prescribed to them.

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## CHAPTER XXXIII.

War with Scotland—Victory at Solway—Death of James V.—Treaty with Scotland—New rupture—Rupture with France—A Parliament—Affairs of Scotland—A Parliament—Campaign in France—A Parliament—Peace with France and Scotland—Persecutions—Execution of the earl of Surrey—Attainder of the duke of Norfolk—Death of the King—His character—Miscellaneous transactions.

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War with  
Scotland.

HENRY, being determined to avenge himself on the king of Scots, for slighting the advances which he had made him, would gladly have obtained a supply from parliament, in order to prosecute that enterprise; but, as he did not think it prudent to discover his intentions, that assembly, conformably to their frugal maxims, would understand no hints; and the king was disappointed in his expectations. He continued, however, to make preparations for war; and, as soon as he thought himself in a condition to invade Scotland, he published a manifesto, by which he endeavoured to justify hostilities. He complained of James' breach of word, in declining the promised interview; which was the real ground of the quarrel:<sup>1</sup> but, in order to give a more specious colouring to the enterprise, he mentioned other injuries; namely, that his nephew had granted protection to some English rebels and fugitives, and had detained some territory, which Henry pretended belonged to England. He even revived the old claim to the vassalage of Scotland, and he summoned James to do homage to him, as his liege lord and superior. He employed the duke of Norfolk, whom he called the scourge of the Scots, to command in war; and though James sent the bishop of Aberdeen, and Sir James Learmont, of Darsay, to appease his uncle, he would hearken to no terms of accommodation. While Norfolk was assembling his army, at Newcastle, Sir Robert Bowes, attended by Sir Ralph Sadler, Sir Ralph Evers, Sir Brian Latoun, and others, made an incursion into Scotland, and advanced towards Jedburgh, with an intention of pillaging and destroying that town. The earl of Angus and George Douglas, his brother, who had been many years banished their country, and had subsisted by Henry's bounty, joined the English army in this excursion; and the forces commanded by Bowes exceeded four thousand men. James had not been negligent in his preparations for defence, and had posted a considerable body, under the command of the earl of Huntley, for the protection of the borders.

24th Aug. Lord Hume, at the head of his vassals, was hastening to join Huntley, when he met with the English army; and an action immediately ensued. During the engagement, the forces under Huntley began to appear; and the English, afraid of being surrounded and overpowered, took to flight, and were pur-

<sup>1</sup> Buchanan, lib. 14. Drummond in James the Fifth.



sued by the enemy. Evers, Latoun, and some other persons of distinction, were taken prisoners. A few only, of small note, fell in the skirmish.<sup>1</sup>

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The duke of Norfolk, meanwhile, began to move from his camp, at Newcastle; and, being attended by the earl of Shrewsbury, Derby, Cumberland, Surrey, Hertford, Rutland, with many others of the nobility, he advanced to the borders. His forces amounted to above twenty thousand men; and it required the utmost efforts of Scotland, to resist such a formidable armament. James had assembled his whole military force at Fala and Sautrey, and was ready to advance, as soon as he should be informed of Norfolk's invading his kingdom. The English passed the Tweed at Berwick, and marched along the banks of the river, as far as Kelso; but, hearing that James had collected near thirty thousand men, they repassed the river at that village, and retreated into their own country.<sup>2</sup> The king of Scots, inflamed with a desire of military glory, and of revenge on his invaders, gave the signal for pursuing them, and carrying the war into England. He was surprised to find that his nobility, who were, in general, disaffected, on account of the preference which he had given to the clergy, opposed this resolution, and refused to attend him in his projected enterprise. Enraged at this mutiny, he reproached them with cowardice, and threatened vengeance; but still resolved, with the forces which adhered to him, to make an impression on the enemy. He sent ten thousand men to the western borders, who entered England, at Solway frith; and he himself followed them, at a small distance, ready to join them, upon occasion. Disgusted, however, at the refractory disposition of his nobles, he sent a message to the army, depriving lord Maxwell, their general, of his commission, and conferring the command on Oliver Sinclair, a private gentleman, who was his favourite. The army was extremely disgusted with this alteration, and was ready to disband; when a small body of English appeared, not exceeding five hundred men, under the command of Dacres and Musgrave. A panic seized the Scots, who immediately took to flight, and were pursued by the enemy. Few were killed in this rout; for it was no action; but a great many were taken prisoners, and some of the principal nobility: among these, the earls of Cassilis and Glencairn; the lords, Maxwell, Fleming, Somerville, Oliphant, Grey, who were all sent to London, and given in custody to different noblemen.

24th Nov.  
Victory at  
Solway.

The king of Scots, hearing of this disaster, was astonished; and, being naturally of a melancholic disposition, as well as endowed with a high spirit, he lost all command of his temper on this dismal occasion. Rage against his nobility, who, he believed, had betrayed him; shame for a defeat, by such unequal numbers; regret for the past, fear for the future; all these passions so wrought upon him, that he would admit of no consola-

<sup>1</sup> Buchanan, lib. 14.    <sup>2</sup> Ibid.

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14th Dec.  
Death of  
James the  
Fifth.

tion, but abandoned himself wholly to despair. His body was wasted, by sympathy with his anxious mind; and even his life began to be thought in danger. He had no issue, living; and hearing that his queen was safely delivered, he asked whether she had brought him a male or a female child? Being told the latter; he turned himself in his bed: "The crown came with "a woman," said he, "and it will go with one: many miseries "await this poor kingdom. Henry will make it his own, either "by force of arms, or by marriage." A few days after, he expired, in the flower of his age; a prince of considerable virtues and talents; well fitted, by his vigilance and personal courage, for repressing those disorders to which his kingdom, during that age, was so much exposed. He executed justice with impartiality and rigour; but, as he supported the commonalty and the church, against the rapine of the nobility, he escaped not the hatred of that order. The protestants, also, whom he opposed, have endeavoured to throw many stains on his memory; but have not been able to fix any considerable imputation upon him.\*

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Henry was no sooner informed of this victory, and of the death of his nephew, than he projected, as James had foreseen, the Scheme of uniting Scotland with his own dominions, by marrying his son, Edward, to the heiress of that kingdom.<sup>1</sup> He called together the Scottish nobles, who were his prisoners; and after reproaching them, in severe terms, for their pretended breach of treaty, he began to soften his tone, and proposed to them this expedient, by which he hoped those disorders, so prejudicial to both states, would, for the future, be prevented. He offered to bestow on them their liberty, without ransom; and only required of them, engagements to favour the marriage of the prince of Wales with their young mistress. They were easily prevailed on to give their assent to a proposal, which seemed so natural and so advantageous to both kingdoms; and being conducted to Newcastle, they delivered to the duke of Norfolk hostages for their return, in case the intended nuptials were not completed: and they thence proceeded to Scotland, where they found affairs in some confusion.

The pope, observing his authority in Scotland to be in danger, from the spreading of the new opinions, had bestowed on Beaton, the primate, the dignity of cardinal, in order to confer more influence upon him; and that prelate had long been regarded as prime minister to James, and as the head of that party, which defended the ancient privileges and property of the ecclesiastics. Upon the death of his master, this man, apprehensive of the consequences, both to his party and to himself, endeavoured to keep possession of power; and, for that purpose, he is accused of executing a deed, which required a high degree of temerity.

\* See note [C2] at the end of the volume. Stowe, p. 584. Herbert, Burnet, Buchanan.

He forged, it is said, a will for the king, appointing himself and three noblemen more, regents of the kingdom, during the minority of the infant princess :<sup>1</sup> at least, for historians are not well agreed in the circumstances of the fact, he had read to James a paper of that import, to which that monarch, during the delirium which preceded his death, had given an imperfect assent and approbation.<sup>2</sup> By virtue of this will, Beaton had put himself in possession of the government ; and, having united his interests with those of the queen dowager, he obtained the consent of the convention of states, and excluded the pretensions of the earl of Arran.

James, earl of Arran, of the name of Hamilton, was next heir to the crown, by his grandmother, daughter of James III. and, on that account, seemed best entitled to possess that high office, into which the cardinal had intruded himself. The prospect, also, of his succession, after a princess who was in such tender infancy, procured him many partisans ; and though his character indicated little spirit, activity, or ambition, a propensity which he had discovered for the new opinions had attached to him all the zealous promoters of those innovations. By means of these adherents, joined to the vassals of his own family, he had been able to make opposition to the cardinal's administration ; and the suspicion of Beaton's forgery, with the accession of the noblemen, who had been prisoners in England, assisted, too, by some money, sent from London, was able to turn the balance in his favour. The earl of Angus and his brother, having taken the present opportunity of returning into their native country, opposed the cardinal, with all the credit of that powerful family ; and the majority of the convention had now embraced opposite interests to those which formerly prevailed. Arran was declared governor : the cardinal was committed to custody, under the care of lord Seaton ; and a negotiation was commenced with Sir Ralph Sadler, the English ambassador, for the marriage of the infant queen with the prince of Wales. The following conditions were quickly agreed on ; that the queen should remain in Scotland, till she should be ten years of age ; that she should then be sent to England, to be educated ; that six Scottish noblemen should immediately be delivered, as hostages, to Henry ; and that the kingdom, notwithstanding its union with England, should still retain its laws and privileges.<sup>3</sup> By means of these equitable conditions, the war between the nations, which had threatened Scotland with such dismal calamities, seemed to be fully composed, and to be changed into perpetual concord and amity.

But the cardinal-primate, having prevailed on Seaton to restore him to his liberty, was able, by his intrigues, to confound all these measures, which appeared so well concerted. He as-

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Treaty  
with Scot-  
land.

<sup>1</sup> Sadler's Letters, p. 161. Spotswood, p. 71. Buchanan, lib. 15. <sup>2</sup> John Knox, History of the Reformation. <sup>3</sup> Sir Ralph Sadler's Letters.

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sembled the most considerable ecclesiastics : and having represented to them the imminent danger, to which their revenues and privileges were exposed, he persuaded them to collect, privately, from the clergy, a large sum of money, by which, if intrusted to his management, he engaged to overturn the schemes of their enemies.<sup>1</sup> Besides the partisans whom he acquired by pecuniary motives, he roused up the zeal of those who were attached to the catholic worship ; and he represented the union with England, as the sure forerunner of ruin to the church, and to the ancient religion. The national antipathy of the Scots to their southern neighbours, was also an infallible engine, by which the cardinal wrought upon the people ; and though the terror of Henry's arms, and their own inability to make resistance, had procured a temporary assent to the alliance and marriage proposed, the settled habits of the nation produced an extreme aversion to these measures. The English ambassador and his retinue received many insults, from persons whom the cardinal had instigated to commit those violences, in hopes of bringing on a rupture : but Sadler prudently dissembled the matter ; and waited patiently, till the day appointed, for the delivery of the hostages. He then demanded of the regent the performance of that important article ; but received, for answer, that his authority was very precarious ; that the nation had now taken a different impression, and that it was not in his power to compel any of the nobility to deliver themselves, as hostages, to the English. Sadler, foreseeing the consequence of this refusal, sent a summons to all those who had been prisoners in England, and required them to fulfil the promise which they had given, of returning into custody. None of them showed so much sentiment of honour, as to fulfil their engagements, except Gilbert Kenedy, earl of Cassilis. Henry was so well pleased with the behaviour of this nobleman, that he not only received him graciously, but honoured him with presents, gave him his liberty, and sent him back to Scotland, with his two brothers, whom he had left as hostages.<sup>2</sup>

New rupture.

This behaviour of the Scottish nobles, though it reflected dishonour on the nation, was not disagreeable to the cardinal, who foresaw, that all these persons would now be deeply interested to maintain their enmity and opposition to England. And, as a war was soon expected with that kingdom, he found it necessary immediately to apply to France, and to crave the assistance of that ancient ally, during the present distresses of the Scottish nation. Though the French king was fully sensible of his interest, in supporting Scotland, a demand of aid could not have been made on him at a more unseasonable juncture. His pretensions on the Milanese, and his resentment against Charles, had engaged him in a war with that potentate ; and, having made great, though fruitless efforts, during the preceding cam-

<sup>1</sup> Buchanan, lib. 15.

<sup>2</sup> Buchanan, lib. 15.



paign, he was the more disabled at present, from defending his own dominions, much more from granting any succour to the Scots. Matthew Stuart, earl of Lenox, a young nobleman of a great family, was at that time in the French court; and Francis being informed, that he was engaged in ancient and hereditary enmity with the Hamiltons, who had murdered his father, sent him over to his native country, as a support to the cardinal and the queen mother: and he promised, that a supply of money, and if necessary, even military succours, should soon be despatched after him. Arran, the governor, seeing all these preparations against him, assembled his friends, and made an attempt to get the person of the infant queen into his custody; but being repulsed, he was obliged to come to an accommodation with his enemies, and to intrust that precious charge to four neutral persons, the heads of potent families, the Grahams, Areskines, Lindseys, and Levingstones. The arrival of Lenox, in the midst of these transactions, served to render the victory of the French party over the English, still more indisputable.<sup>1</sup>

The opposition which Henry met with in Scotland, from the French intrigues, excited his resentment, and farther confirmed the resolution, which he had already taken, of breaking with France, and of uniting his arms with those of the emperor. He had other grounds of complaint against the French king, which, though not of great importance, yet, being recent, were able to overbalance those great injuries which he had formerly received from Charles. He pretended that Francis had engaged to imitate his example, in separating himself entirely from the see of Rome, and that he had broken his promise, in that particular. He was dissatisfied that James, his nephew, had been allowed to marry, first Magdalene, of France, then a princess of the house of Guise; and he considered these alliances as pledges which Francis gave, of his intentions to support the Scots against the power of England.<sup>2</sup> He had been informed of some raileries, which the French king had thrown out against his conduct, with regard to his wives. He was disgusted, that Francis, after so many obligations which he owed him, had sacrificed him to the emperor; and in the confidence of friendship, had rashly revealed his secrets to that subtle and interested monarch. And he complained, that regular payments were never made of the sums due to him, by France, and of the pension which had been stipulated. Impelled by all these motives, he alienated himself from his ancient friend and confederate, and formed a league with the emperor, who earnestly courted his alliance. This league, besides stipulations for mutual defence, contained a plan for invading France; and the two monarchs agreed to enter Francis's dominions, with an army, each of twenty-five thousand men; and to require that prince to pay Henry all the sums which he owed him, and to consign Boulogne, Montreuil, Te-

Rapture  
with  
France.

<sup>1</sup> Buchanan, lib. 15. Drummond. <sup>2</sup> Pere Daniel.

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rouenne, and Ardres, as a security for the regular payment of his pension, for the future : in case these conditions were rejected, the confederate princes agreed to challenge, for Henry, the crown of France ; or in default of it, the dutchies of Normandy, Aquitaine, and Guienne ; for Charles, the dutchy of Burgundy, and some other territories.<sup>1</sup> That they might have a pretence for enforcing these claims, they sent a message to Francis, requiring him to renounce his alliance with Sultan Solymán, and to make reparation for all the prejudice which Christendom had sustained, from that unnatural confederacy. Upon the French king's refusal, war was declared against him by the allies. It may be proper to remark, that the partisans of France objected to Charles, his alliance with the heretical king of England, as no less obnoxious than that which Francis had contracted with Solymán : and they observed, that this league was a breach of the solemn promise, which he had given to Clement VII. never to make peace or alliance with England.

22d Jan.  
A parliament.

While the treaty with the emperor was negotiating the king summoned a new session of parliament, in order to obtain supplies for his projected war with France. The parliament granted him a subsidy, to be paid in three years : it was levied in a peculiar manner ; but exceeded not three shillings in the pound, upon any individual.<sup>2</sup> The convocation gave the king six shillings in the pound, to be levied in three years. Greater sums were always, even during the establishment of the catholic religion, exacted from the clergy than from the laity : which made the emperor Charles say, when Henry dissolved the monasteries, and sold their revenues, or bestowed them on his nobility and courtiers, that he had killed the hen which brought him the golden egg.<sup>3</sup>

The parliament also facilitated the execution of the former law, by which the king's proclamations were made equal to statutes : they appointed, that any nine counsellors should form a legal court for punishing all disobedience to proclamations. The total abolition of juries, in criminal causes, as well as of all parliaments, seemed, if the king had so pleased, the necessary consequence of this enormous law. He might issue a proclamation, enjoining the execution of any penal statute, and afterwards try the criminals, not for breach of the statute, but for disobedience to his proclamation. It is remarkable, that lord Mountjoy entered a protest against this law ; and it is equally remarkable, that that protest is the only one entered against any public bill, during this whole reign.<sup>4</sup>

<sup>1</sup> Rymer, vol. xiv. p. 768, vol. xv. p. 2.    <sup>2</sup> They who were worth, in goods, twenty shillings and upwards to five pounds, paid four pence of every pound ; from five pounds to ten pounds, eight pence ; from ten pounds to twenty pounds, sixteen pence ; from twenty and upwards, two shillings. Lands, fees and annuities, from twenty shillings to five pounds, paid eight pence in the pound ; from five pounds to ten pounds, sixteen pence ; from ten pounds to twenty pounds, two shillings ; from twenty pounds and upwards, three shillings.    <sup>3</sup> Collier, vol. ii. p. 176.    <sup>4</sup> Burnet, p. 322.

It was enacted,<sup>1</sup> this session, that any spiritual person, who preached, or taught, contrary to the doctrine contained in the king's book, the *Erudition of a Christian Man*, or contrary to any doctrine, which he should *thereafter* promulgate, was to be admitted, on the first conviction, to renounce his error; on the second he was required to carry a faggot: which, if he refused to do, or fell into a third offence, he was to be burnt. But the laity, for the third offence, were only to forfeit their goods and chattels, and be liable to perpetual imprisonment. Indictments must be laid within a year after the offence, and the prisoner was allowed to bring witnesses for his exculpation. These penalties were lighter than those which were formerly imposed, on the denial of the real presence: it was, however, subjoined in this statute, that the act of the six articles was still in force. But, in order to make the king more entirely master of his people, it was enacted, that he might hereafter, at his pleasure, change this act, or any provision in it. By this clause, both parties were retained in subjection: so far as regarded religion, the king was invested, in the fullest manner, with the sole legislative authority in his kingdom: and all his subjects were, under the severest penalties, expressly bound to receive, implicitly, whatever doctrine he should please to recommend to them.

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The reformers began to entertain hopes, that this great power of the crown might still be employed in their favour. The king married Catharine Par, widow of Nevil, lord Latimer; a woman of virtue, and somewhat inclined to the new doctrine. By this marriage, Henry confirmed, what had formerly been foretold, in jest, that he would be obliged to espouse a widow. The king's league with the emperor, seemed a circumstance no less favourable to the catholic party; and thus matters remained, still nearly balanced between the factions.

The advantages gained, by this powerful confederacy between Henry and Charles, were inconsiderable during the present year. The campaign was opened with a victory, gained by the duke of Cleves, Francis's ally, over the forces of the emperor;<sup>2</sup> Francis, in person, took the field early, and made himself master, without resistance, of the whole dutchy of Luxembourg: he afterwards took Landrecy, and added some fortifications to it. Charles having, at last, assembled a powerful army, appeared in the Low Countries; and after taking almost every fortress in the dutchy of Cleves, he reduced the duke to accept of the terms which he was pleased to prescribe to him. Being then joined by a body of six thousand English, he set down before Landrecy, and covered the siege with an army of above forty thousand men. Francis advanced, at the head of an army not much inferior, as if he intended to give the emperor battle, or oblige him to raise the siege: but while these two rival monarchs were facing each other, and all men were in expectation of

<sup>1</sup> 34 and 35 Hen. VIII. c. 1.    <sup>2</sup> Memoires du Bellay, lib. 10.

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Affairs of  
Scotland.

some great event, the French king found means of throwing succour into Landrecy; and having thus effected his purpose, he skilfully made a retreat. Charles, finding the season far advanced, despaired of success in his enterprise, and found it necessary to go into winter quarters.

The vanity of Henry was flattered, by the figure which he made, in the great transactions on the continent: but the interests of his kingdom were more deeply concerned, in the event of affairs in Scotland. Arran, the governor, was of so indolent and unambitious a character, that had he not been stimulated by his friends and dependents, he never had aspired to any share in the administration; and when he found himself overpowered, by the party of the queen dowager, the cardinal and the earl of Lenox, he was glad to accept of any terms of accommodation, however dishonourable. He even gave them a sure pledge of his sincerity, by renouncing the principles of the reformers, and reconciling himself to the Romish communion, in the Franciscan church, at Stirling. By this weakness and levity, he lost his credit with the whole nation, and rendered the protestants, who were hitherto the chief support of his power, his mortal enemies. The cardinal acquired an entire ascendant in the kingdom: the queen dowager placed implicit confidence in him; the governor was obliged to yield to him, in every pretension: Lenox, alone, was become an obstacle to his measures, and reduced him to some difficulty.

The inveterate enmity, which had taken place between the families of Lenox and Arran, made the interests of these two noblemen entirely incompatible; and, as the cardinal and the French party, in order to engage Lenox the more in their cause, had flattered him with the hopes of succeeding to the crown, after their infant sovereign, this rivalry had tended still farther to rouse the animosity of the Hamiltons. Lenox, too, had been encouraged to aspire to the marriage of the queen dowager, which would have given him some pretensions to the regency; and, as he was become assuming, on account of the services which he had rendered the party, the cardinal found, that since he must choose between the friendship of Lenox and that of Arran, the latter nobleman, who was more easily governed, and who was invested with present authority, was, in every respect, preferable. Lenox, finding that he was not likely to succeed in his pretensions to the queen dowager, and that Arran, favoured by the cardinal, had acquired the ascendancy, retired to Dunbarton, the governor of which was entirely at his devotion: he entered into a secret correspondence with the English court; and he summoned his vassals and partisans to attend him. All those who were inclined to the protestant religion, or were, on any account, discontented with the cardinal's administration, now regarded Lenox as the head of their party; and they readily made him a tender of their services. In a little time, he had collected an army of ten thousand men, and



he threatened his enemies with immediate destruction. The cardinal had no equal force to oppose to him; but as he was a prudent man, he foresaw that Lenox could not long subsist so great an army, and he endeavoured to gain time, by opening a negotiation with him. He seduced his followers, by various artifices; he prevailed on the Douglasses to change party; he represented to the whole nation, the danger of civil wars and commotions: and Lenox, observing the unequal contest in which he was engaged, was, at last, obliged to lay down his arms, and to accept of an accommodation with the governor and the cardinal. Present peace was restored; but no confidence took place between the parties. Lenox, fortifying his castles, and putting himself in a posture of defence, waited the arrival of English succours, from whose assistance, alone, he expected to obtain the superiority over his enemies.

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While the winter season restrained Henry from military operations, he summoned a new parliament; in which a law was passed, such as he was pleased to dictate, with regard to the succession of the crown. After declaring that the prince of Wales, or any of the king's male issue, were first and immediate heirs to the crown, the parliament restored the two princesses, Mary and Elizabeth, to their right of succession. This seemed a reasonable piece of justice, and corrected what the king's former violence had thrown into confusion; but it was impossible for Henry to do any thing, how laudable soever, without betraying, in some circumstance, his usual extravagance and caprice: though he opened the way for these two princesses to mount the throne, he would not allow the acts to be reversed, which had declared them illegitimate; he made the parliament confer on him a power of still excluding them, if they refused to submit to any conditions which he should be pleased to impose; and he required them to enact, that in default of his own issue, he might dispose of the crown as he pleased, by will or letters patent. He did not, probably, foresee, that, in proportion as he degraded the parliament, by rendering it the passive instrument of his variable and violent inclinations, he taught the people to regard all its acts as invalid, and thereby defeated even the purposes which he was so bent to attain.

1544.  
Jan. 14.  
A parliament.

An act passed, declaring that the king's usual style should be "King of England, France and Ireland, defender of the faith, and, on earth, the supreme head of the church of England and Ireland." It seemed a palpable inconsistency to retain the title of defender of the faith, which the court of Rome had conferred on him for maintaining its cause against Luther, and yet subjoin his ecclesiastical supremacy, in opposition to the claims of that court.

An act also passed, for the remission of the debt, which the king had lately contracted, by a general loan, levied upon the people. It will easily be believed, that after the former act of

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this kind, the loan was not entirely voluntary.<sup>1</sup> But there was a peculiar circumstance, attending the present statute, which none but Henry would have thought of; namely, that those who had already gotten payment, either in whole or in part, should refund the money to the exchequer.

The oaths, which Henry imposed, for the security of his ecclesiastical model, were not more reasonable than his other measures. All his subjects, of any distinction, had already been obliged to renounce the pope's supremacy; but, as the clauses to which they swore had not been deemed entirely satisfactory, another oath was imposed; and it was added, that all those who had taken the former oaths should be understood to have taken the new one.<sup>2</sup> A strange supposition! to represent men as bound by an oath, which they had never taken.

The most commendable law, to which the parliament gave their sanction, was that by which they mitigated the law of the six articles, and enacted, that no person should be put to his trial, upon an accusation concerning any of the offences comprised in that sanguinary statute, except on the oath of twelve persons, before commissioners authorized for the purpose: and that no person should be arrested or committed to ward, for any such offence, before he was indicted. Any preacher, accused of speaking, in his sermon, contrary to these articles, must be indicted within forty days.

The king always experienced the limits of his authority, whenever he demanded subsidies, however moderate, from the parliament; and, therefore, not to hazard a refusal, he made no mention, this session, of a supply: but as his wars, both in France and Scotland, as well as his usual prodigality, had involved him in great expense, he had recourse to other methods of filling his exchequer. Notwithstanding the former abolition of his debts, he yet required new loans from his subjects: and he enhanced gold, from forty-five shillings to forty-eight an ounce; and silver from three shillings and nine pence to four shillings. His pretence, for this innovation, was to prevent the money from being exported; as if that expedient could anywise serve the purpose. He even coined some base money, and ordered it to be current, by proclamation. He named commissioners for levying a benevolence, and he extorted about seventy thousand pounds by this expedient. Read, alderman of London,<sup>3</sup> a man somewhat advanced in years, having refused to contribute, or not coming up to the expectation of the commissioners, was enrolled as a foot soldier, in the Scottish wars, and was there taken prisoner. Roach, who had been equally refractory, was thrown into prison, and obtained not his liberty but by paying a large composition.<sup>4</sup> These powers of the prerogative, (which, at that time, passed unquestioned,) the compelling of any man

<sup>1</sup> 35 Hen. VIII. c. 12. <sup>2</sup> Ibid. c. 1. <sup>3</sup> Herbert. Stowe, p. 588. Baker, p. 292. <sup>4</sup> Goodwin's Annals. Stowe, p. 508.

to serve in any office, and the imprisoning of any man during pleasure, not to mention the practice of extorting loans, rendered the sovereign in a manner absolute master of the person and property of every individual.

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Early, this year, the king sent a fleet and an army, to invade Scotland. The fleet consisted of near two hundred vessels, and carried on board ten thousand men. Dudley, lord Lisle, commanded the sea forces; the earl of Hertford the land. The troops were disembarked near Leith; and, after dispersing a small body, which opposed them, they took that town without resistance, and then marched to Edinburgh. The gates were soon beaten down, (for little or no resistance was made,) and the English first pillaged, and then set fire to the city. The regent and cardinal were not prepared to oppose so great a force, and they fled to Stirling. Hertford marched eastward: and, being joined by a new body, under Evers, warden of the east marches, he laid waste the whole country, burned and destroyed Haddington and Dunbar, then retreated into England; having lost only forty men in the whole expedition. The earl of Arran collected some forces; but, finding that the English were already departed, he turned them against Lenox, who was justly suspected of a correspondence with the enemy. That nobleman, after making some resistance, was obliged to fly into England; where Henry settled a pension on him, and even gave him his niece, lady Margaret Douglas, in marriage. In return Lenox stipulated conditions, by which, had he been able to execute them, he must have reduced his country to total servitude.<sup>1</sup>

Henry's policy was blamed, in this sudden and violent incursion, by which he inflamed the passions of the Scots, without subduing their spirit; and it was commonly said, that he did too much, if he intended to solicit an alliance, and too little, if he meant a conquest.<sup>2</sup> But the reason of his recalling the troops so soon was his eagerness to carry on a projected enterprise against France, in which he intended to employ the whole force of his kingdom. He had concerted a plan with the emperor, which threatened the total ruin of that monarchy, and must, as a necessary consequence, have involved the ruin of England. These two princes had agreed to invade France, with a force amounting to above a hundred thousand men; Henry engaged to set out from Calais; Charles from the Low Countries: they were to enter on no siege; but, leaving all the frontier towns behind them, to march directly to Paris, where they were to join their forces, and thence to proceed to the entire conquest of the kingdom. Francis could not oppose to these formidable preparations much above forty thousand men.

Henry, having appointed the queen regent, during his absence, passed over to Calais, with thirty thousand men, accompanied by the dukes of Norfolk and Suffolk, Fitzalan, earl of

14th July.  
Campaign  
in France.

<sup>1</sup> Rymer, vol. xv. p. 23, 29.

<sup>2</sup> Herbert. Burnet.



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Arundel, Vere, earl of Oxford, the earl of Surrey, Paulet, lord St. John, lord Ferrars of Chartley, lord Mountjoy, lord Grey of Wilton, Sir Anthony Brown, Sir Francis Bryan, and the most flourishing nobility and gentry of his kingdom. The English army was soon joined by the count de Buren, admiral of Flanders, with ten thousand foot, and four thousand horse; and the whole composed an army, which nothing on that frontier was able to resist. The chief force of the French armies was drawn to the side of Champagne, in order to oppose the imperialists.

The emperor, with an army of near sixty thousand men, had taken the field much earlier than Henry; and, not to lose time, while he waited for the arrival of his confederate, he sat down before Luxembourg, which was surrendered to him: he thence proceeded to Commercy, on the Meuse, which he took: Ligny met with the same fate: he next laid siege to St. Disier, on the Marne, which though a weak place, made a brave resistance, under the Count of Sancerre, the governor, and the siege was protracted beyond expectation.

The emperor was employed before this town, at the time the English forces were assembled in Picardy. Henry, either tempted by the defenceless condition of the French frontier, or thinking that the emperor had first broken his engagement, by forming sieges; or, perhaps, foreseeing, at last, the dangerous consequences of entirely subduing the French power, instead of marching forward to Paris, sat down before Montreuil and Boulogne. The duke of Norfolk commanded the army before Montreuil: the king himself, that before Boulogne. Vervin was governor of the latter place, and under him, Philip Corse, a brave old soldier, who encouraged the garrison to defend themselves to the last extremity against the English. He was killed, during the course of the siege, and the town was immediately surrendered to Henry, by the cowardice of Vervin; who was afterwards beheaded for this dishonourable capitulation.

During the course of this siege, Charles had taken St. Disier; and finding the season much advanced, he began to hearken to a treaty of peace with France, since all his schemes for subduing that kingdom were likely to prove abortive. In order to have a pretence for deserting his ally, he sent a messenger to the English camp, requiring Henry immediately to fulfil his engagements, and to meet him, with his army, before Paris. Henry replied, that he was too far engaged in the siege of Boulogne, to raise it with honour, and that the emperor himself had first broken the concert, by besieging St. Disier. This answer served Charles as a sufficient reason for concluding a peace with Francis, at Crepy, where no mention was made of England. He stipulated to give Flanders, as a dowry, to his daughter, whom he agreed to marry to the duke of Orleans, Francis's second son; and Francis, in return, withdrew his troops from Piedmont and Savoy, and renounced all claim to



Milan, Naples, and other territories in Italy. This peace, so advantageous to Francis, was procured, partly by the decisive victory obtained in the beginning of the campaign by the count of Anguyen, over the imperialists, at Cerisolles, in Piedmont, partly by the emperor's great desire to turn his arms against the protestant princes, in Germany. Charles ordered his troops to separate from the English, in Picardy; and Henry, finding himself obliged to raise the siege of Montreuil, returned into England. This campaign served, to the populace, as matter of great triumph; but all men of sense concluded, that the king had, as in all his former military enterprises, made, at a great expense, an acquisition which was of no importance.

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30th Sept.

The war with Scotland, meanwhile, was conducted feebly, and with various success. Sir Ralph Evers, now lord Evers, and Sir Bryan Latoun, made an inroad into that kingdom; and having laid waste the counties of Teviotdale and the Merse, they proceeded to the abbey of Coldingham, which they took possession of and fortified. The governor assembled an army of eight thousand men, in order to dislodge them from this post; but he had no sooner opened his batteries before the place than a sudden panic seized him; he left the army, and fled to Dunbar. He complained of the mutiny of his troops, and pretended apprehensions lest they should deliver him into the hands of the English: but his own unwarlike spirit was generally believed to have been the motive of this dishonourable flight. The Scottish army, upon the departure of their general, fell into confusion; and had not Angus, with a few of his retainers, brought off the cannon, and protected their rear, the English might have gained great advantages over them. Evers, elated with this success, boasted to Henry that he had conquered all Scotland, to the Forth; and he claimed a reward for this important service. The duke of Norfolk, who knew with what difficulty such acquisitions would be maintained against a warlike enemy, advised the king to grant him, as his reward, the conquests of which he boasted so highly. The next inroad made by the English showed the vanity of Evers's hopes. This general led about five thousand men into Teviotdale, and was employed in ravaging that country, when intelligence was brought him that some Scottish forces appeared near the abbey of Melross. Angus had roused the governor to more activity; and a proclamation being issued for assembling the troops of the neighbouring counties, a considerable body had repaired thither, to oppose the enemy. Norman Lesley, son of the earl of Rothes, had also joined the army, with some volunteers, from Fife; and he inspired courage into the whole, as well by his accession of force, as by his personal bravery and intrepidity. In order to bring their troops to the necessity of a steady defence, the Scottish leaders ordered all their cavalry to dismount; and they resolved to wait, on some high grounds, near Ancram, the assault of the English. The English, whose past successes had taught them too

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much to despise the enemy, thought, when they saw the Scottish horses led off the field, that the whole army was retiring; and they hastened to attack them. The Scots received them in good order; and being favoured by the advantage of the ground, as well as by the surprise of the English, who expected no resistance, they soon put them to flight, and pursued them, with considerable slaughter. Evers and Latoun were both killed, and above a thousand men were made prisoners. In order to support the Scots in this war, Francis, some time after, sent over a body of auxiliaries, to the number of three thousand five hundred men, under the command of Montgomery, lord of Lorges.<sup>1</sup> Reinforced by these succours, the governor assembled an army of fifteen thousand men, at Haddington, and marched thence to ravage the east borders of England. He laid all waste, wherever he came; and, having met with no considerable resistance, he retired into his own country, and disbanded his army. The earl of Hertford, in revenge, committed ravages on the middle and west marches; and the war, on both sides, was signalized rather by the ills inflicted on the enemy, than by any considerable advantage gained by either party.

The war, likewise, between France and England was not distinguished, this year, by any memorable event. Francis had equipped a fleet of above two hundred sail, besides galleys; and, having embarked some land forces on board, he sent them to make a descent in England.<sup>2</sup> They sailed to the isle of Wight, where they found the English fleet lying at anchor, in St. Helens. It consisted not of above a hundred sail; and the admiral thought it most advisable to remain in that road, in hopes of drawing the French into the narrow channels and the rocks, which were unknown to them. The two fleets cannonaded each other for two days; and, except the sinking of the *Mary Rose*, one of the largest ships of the English fleet, the damage on both sides was inconsiderable.

Francis's chief intention, in equipping so great a fleet, was to prevent the English from throwing succours into Boulogne, which he resolved to besiege; and for that purpose he ordered a fort to be built, by which he intended to block up the harbour. After a considerable loss of time and money, the fort was found so ill constructed that he was obliged to abandon it; and though he had assembled on that frontier an army of near forty thousand men, he was not able to effect any considerable enterprise. Henry, in order to defend his possessions in France, had levied fourteen thousand Germans, who, having marched to Fleurines, in the bishopric of Liege, found that they could advance no farther. The emperor would not allow them a passage through his dominions: they received intelligence of a superior army, on the side of France, ready to intercept them: want of occupation and of pay soon produced a mutiny among

<sup>1</sup> Buchanan, lib. 15. Drummond. <sup>2</sup> Belcair. Mémoires du Bellay.

them; and, having seized the English commissaries, as a security for arrears, they retreated into their own country. There seems to have been some want of foresight in this expensive armament.

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The great expense of these two wars maintained by Henry obliged him to summon a new parliament. The commons granted him a subsidy, payable in two years, of two shillings a pound on land:<sup>1</sup> the spirituality voted him six shillings a pound. But the parliament, apprehensive lest more demands should be made upon them, endeavoured to save themselves by a very extraordinary liberality of other people's property: by one vote, they bestowed on the king all the revenues of the universities, as well as of the chauntries, free chapels,<sup>2</sup> and hospitals. Henry was pleased with this concession, as it increased his power; but he had no intention to rob learning of all her endowments; and he soon took care to inform the universities that he meant not to touch their revenues. Thus these ancient and celebrated establishments owe their existence to the generosity of the king, not to the protection of this servile and prostitute parliament.

23d Nov.

A parliament.

The prostitute spirit of the parliament farther appeared in the preamble of a statute,<sup>3</sup> in which they recognise the king to have always been, by the word of God, supreme head of the church of England, and acknowledge, that archbishops, bishops, and other ecclesiastical persons, have no manner of jurisdiction but by his royal mandate: to him alone, say they, and such persons as he shall appoint, full power and authority is given, from above, to hear and determine all manner of causes ecclesiastical, and to correct all manner of heresies, errors, vices and sins whatsoever. No mention is here made of the concurrence of a convocation, or even of a parliament. His proclamations are, in effect, acknowledged to have, not only the force of law, but the authority of revelation; and by his royal power he might regulate the actions of men, control their words, and even direct their inward sentiments and opinions.

The king made, in person, a speech to the parliament, on pro- 24th Dec. roguing them; in which, after thanking them for their loving attachment to him, which, he said, equalled what was ever paid, by their ancestors, to any king of England, he complained of their dissensions, disputes, and animosities in religion. He told them, that the several pulpits were become a kind of batteries against each other; and, that one preacher called another heretic, and

<sup>1</sup> Those who possessed goods or money, above five pounds, and below ten, were to pay eight pence a pound: those above ten pounds, a shilling. <sup>2</sup> A chauntry, was a little church, chapel, or particular altar, in some cathedral church, &c. endowed with lands, or other revenues, for the maintenance of one or more priests, daily to say mass, or perform divine service, for the use of the founders, or such others as they appointed: free chapels were independent on any church, and endowed for much the same purpose as the former. Jacob's Law Dict. <sup>3</sup> 37 Hen. VIII. c. 17.



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anabaptist, which was retaliated by the opprobrious appellations of papist and hypocrite; that he had permitted his people the use of the Scriptures, not in order to furnish them with materials for disputing and railing, but that he might enable them to inform their consciences and instruct their children and families: that it grieved his heart, to find how that precious jewel was prostituted, by being introduced into the conversation of every ale-house and tavern, and employed as a pretence for decrying the spiritual and legal pastors; and that he was sorry to observe that the word of God, while it was the object of so much anxious speculation, had very little influence on their practice; and that, though an imaginary knowledge so much abounded, charity was daily going to decay.<sup>1</sup> The king gave good advice; but his own example, by encouraging speculation and dispute, was ill fitted to promote that peaceable submission of opinion which he recommended.

27th June.  
Peace  
with  
France  
and Scot-  
land.

Henry employed in military preparations the money granted by parliament, and he sent over the earl of Hertford and lord Lisle, the admiral, to Calais, with a body of nine thousand men, two thirds of which consisted of foreigners. Some skirmishes of small moment ensued with the French; and no hopes of any considerable progress could be entertained by either party. Henry, whose animosity against Francis was not violent, had given sufficient vent to his humour by this short war; and finding that, from his great increase in corpulence, and decay in strength, he could not hope for much longer life, he was desirous of ending a quarrel which might prove dangerous to his kingdom during a minority. Francis likewise, on his part, was not averse to peace with England; because having lately lost his son, the duke of Orleans, he revived his ancient claim upon Milan, and foresaw that hostilities must soon, on that account, break out between him and the emperor. Commissioners, therefore, having met at Campe, a small place between Ardres and Guisnes, the articles were soon agreed on, and the peace signed by them. The chief conditions were, that Henry should retain Boulogne during eight years, or till the former debt, due by Francis, should be paid. This debt was settled at two millions of livres, besides a claim of five hundred thousand livres, which was afterwards to be adjusted. Francis took care to comprehend Scotland in the treaty. Thus all that Henry obtained, by a war which cost him above one million three hundred and forty thousand pounds sterling,<sup>2</sup> was a bad and a chargeable security for a debt which was not a third of the value.

The king, now freed from all foreign wars, had leisure to give his attention to domestic affairs; particularly to the establishment of uniformity in opinion, on which he was so intent.—Though he allowed an English translation of the Bible, he had hitherto been very careful to keep the mass in Latin; but he

<sup>1</sup> Hall, fol. 261. Herbert, p. 534. <sup>2</sup> Herbert. Stowe.



was, at last, prevailed on, to permit that the litany, a considerable part of the service, should be celebrated in the vulgar tongue; and, by this innovation, he excited anew the hopes of the reformers, who had been somewhat discouraged, by the severe law of the six articles. One petition of the new litany was, a prayer to save us *from the tyranny of the bishop of Rome, and from all his detestable enormities*. Cranmer employed his credit, to draw Henry into farther innovations; and he took advantage of Gardiner's absence, who was sent on an embassy to the emperor: but Gardiner, having written to the king, that if he carried his opposition against the catholic religion to greater extremities, Charles threatened to break off all commerce with him, the success of Cranmer's projects was for some time retarded. Cranmer lost, this year, the most sincere and powerful friend that he possessed at court, Charles Brandon, duke of Suffolk: the queen dowager of France, consort to Suffolk, had died some years before. This nobleman is one instance, that Henry was not altogether incapable of a cordial and steady friendship; and Suffolk seems to have been worthy of the favour which, from his earliest youth, he had enjoyed with his master. The king was sitting in council, when informed of Suffolk's death; and he took the opportunity, both to express his own sorrow for the loss, and to celebrate the merits of the deceased. He declared, that, during the whole course of their friendship, his brother-in-law had never made one attempt to injure an adversary, and had never whispered a word to the disadvantage of any person. "Is there any of you, my lords, who can say as much?" When the king subjoined these words, he looked round, in all their faces, and saw that confusion, which the consciousness of secret guilt naturally threw upon them.\*

Cranmer himself, when bereaved of this support, was the more exposed to those cabals of the courtiers, which the opposition in party and religion, joined to the usual motives of interest, rendered so frequent among Henry's ministers and counsellors.—The catholics took hold of the king, by his passion for orthodoxy; and they represented to him, that if his laudable zeal for enforcing the truth met with no better success, it was altogether owing to the primate, whose example and encouragement were, in reality, the secret supports of heresy. Henry, seeing the point at which they aimed, feigned a compliance, and desired the council to make inquiry into Cranmer's conduct; promising that, if he were found guilty, he should be committed to prison, and brought to condign punishment. Every body now considered the primate as lost; and his old friends, from interested views, as well as the opposite party, from animosity, began to show him marks of neglect and disregard. He was obliged to stand, several hours, among the lackeys, at the door of the council-chamber, before he could be admitted: and when he was, at last,

\* Coke's Inst. cap. 99.

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called in, he was told, that they had determined to send him to the Tower. Cranmer said, that he appealed to the king himself; and finding his appeal disregarded, he produced a ring, which Henry had given him, as a pledge of favour and protection. The council were confounded; and when they came before the king, he reproved them, in the severest terms; and told them that he was well acquainted with Cranmer's merit, as well as with their malignity and envy: but he was determined to crush all their cabals, and to teach them, by the severest discipline, since gentle methods were ineffectual, a more dutiful concurrence in promoting his service. Norfolk, who was Cranmer's capital enemy, apologized for their conduct, and said, that their only intention was, to set the primate's innocence in a full light, by bringing him to an open trial: and Henry obliged them all to embrace him, as a sign of their cordial reconciliation. The mild temper of Cranmer rendered this agreement more sincere on his part, than is usual in such forced compliances.<sup>1</sup>

Persecu-  
tions.

But, though Henry's favour for Cranmer rendered fruitless all accusations against him, his pride and peevishness, irritated by his declining state of health, impelled him to punish, with fresh severity, all others who presumed to entertain a different opinion from himself, particularly in the capital point of the real presence. Ann Ascue, a young woman of merit, as well as beauty,<sup>2</sup> who had great connexions with the chief ladies at court, and with the queen herself, was accused of dogmatizing, on that delicate article; and Henry, instead of showing indulgence to the weakness of her sex and age, was but the more provoked, that a woman should dare to oppose his theological sentiments. She was prevailed on, by Bonner's menaces, to make a seeming recantation; but she qualified it with some reserves, which did not satisfy that zealous prelate. She was thrown into prison, and she there employed herself in composing prayers and discourses, by which she fortified her resolution to endure the utmost extremity, rather than relinquish her religious principles. She even wrote to the king, and told him, that as to the Lord's supper, she believed as much as Christ himself had said of it, and as much of his divine doctrine as the catholic church had required: but, while she could not be brought to acknowledge an assent to the king's explications, this declaration availed her nothing, and was rather regarded as a fresh insult. The chancellor, Wriothesely, who had succeeded Audley, and who was much attached to the catholic party, was sent to examine her, with regard to her patrons at court, and the great ladies, who were in correspondence with her: but she maintained a laudable fidelity to her friends, and would confess nothing. She was put to the torture, in the most barbarous manner, and continued still resolute in preserving secrecy. Some authors<sup>3</sup> add an extraordinary cir-

<sup>1</sup> Burnet, vol. i. p. 343, 344. *Antiq. Brit. in vita Cranm.* <sup>2</sup> Bale. Speed, p. 780. <sup>3</sup> Fox, vol. ii. p. 578. Speed, p. 780. Baker, 299. But Burnet ques-

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cumstance: that the chancellor, who stood by, ordered the lieutenant of the Tower to stretch the rack still farther; but that officer refused compliance: the chancellor menaced him; but met with a new refusal: upon which that magistrate, who was otherwise a person of merit, but intoxicated with religious zeal, put his own hand to the rack, and drew it so violently that he almost tore her body asunder. Her constancy still surpassed the barbarity of her persecutors, and they found all their efforts to be baffled. She was then condemned to be burned, alive; and, being so dislocated by the rack that she could not stand, she was carried to the stake in a chair. Together with her, were conducted Nicholas Belenian, a priest, John Lassels, of the king's household, and John Adams, a tailor, who had been condemned, for the same crime, to the same punishment. They were all tied to the stake; and in that dreadful situation, the chancellor sent to inform them, that their pardon was ready drawn and signed, and should instantly be given them, if they would merit it, by a recantation. They only regarded this offer as a new ornament to their crown of martyrdom; and they saw, with tranquillity, the executioner kindle the flames which consumed them. Wriothesely did not consider, that this public and noted situation interested their honour the more to maintain a steady perseverance.

Though the secrecy and fidelity of Ann Ascue saved the queen from this peril, that princess, soon after, fell into a new danger, from which she narrowly escaped. An ulcer had broken out in the king's leg, which, added to his extreme corpulency, and his bad habit of body, began both to threaten his life, and to render him even more than usually peevish and passionate. The queen attended him, with the most tender and dutiful care, and endeavoured, by every soothing art and compliance, to allay those gusts of humour, to which he was become so subject. His favourite topic of conversation was theology; and Catharine, whose good sense enabled her to discourse on any subject, was frequently engaged in the argument; and being secretly inclined to the principles of the reformers, she unwarily betrayed too much of her mind, on these occasions. Henry, highly provoked that she should presume to differ from him, complained of her obstinacy to Gardiner, who gladly laid hold of the opportunity to inflame the quarrel. He praised the king's anxious concern, for preserving the orthodoxy of his subjects; and represented, that the more elevated the person was, who was chastised, and the more near to his person, the greater terror would the example strike into every one, and the more glorious would the sacrifice appear to posterity. The chancellor, being consulted, was engaged, by religious zeal, to second these topics;

tions the truth of this circumstance: Fox, however, transcribes her own paper, where she relates it. I must add, in justice to the king, that he disapproved of Wriothesely's conduct, and commended the lieutenant.



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and Henry, hurried on by his own impetuous temper, and encouraged by his counsellors, went so far as to order articles of impeachment to be drawn up against his consort. Wriothesely executed his commands; and, soon after, brought the paper to him, to be signed: for, as it was high treason to throw slander upon the queen, he might otherwise have been questioned for his temerity. By some means this important paper fell into the hands of one of the queen's friend's, who immediately carried the intelligence to her. She was sensible of the extreme danger to which she was exposed; but did not despair of being able, by her prudence and address, still to elude the efforts of her enemies. She paid her usual visit to the king, and found him in a more serene disposition than she had reason to expect. He entered on the subject, which was so familiar to him; and he seemed to challenge her to an argument in divinity. She gently declined the conversation, and remarked, that such profound speculations were ill suited to the natural imbecility of her sex. Women, she said, by their first creation, were made subject to men: the male was created after the image of God; the female after the image of the male: it belonged to the husband to choose principles for his wife; the wife's duty was, in all cases, to adopt, implicitly, the sentiments of her husband: and, as to herself, it was doubly her duty, being blest with a husband who was qualified, by his judgment and learning, not only to choose principles for his own family, but for the most wise and knowing of every nation. "Not so! by St. Mary," replied the king; "you are now become a doctor, Kate; and better fitted to give than receive instruction." She meekly replied, that she was sensible how little she was entitled to these praises; that though she usually declined not any conversation, however sublime, when proposed by his majesty, she well knew, that her conceptions could serve to no other purpose, than to give him a little momentary amusement; that she found the conversation apt to languish, when not revived by some opposition, and she had ventured sometimes to feign a contrariety of sentiments, in order to give him the pleasure of refuting her; and that she also purposed, by this innocent artifice, to engage him into topics, whence she had observed, by frequent experience, that she reaped profit and instruction. "And is it so, sweetheart?" replied the king; "then are we perfect friends again." He embraced her with great affection, and sent her away, with assurances of his protection and kindness. Her enemies, who knew nothing of this sudden change, prepared, next day, to convey her to the Tower, pursuant to the king's warrant. Henry and Catharine were conversing, amicably, in the garden, when the chancellor appeared, with forty of the pursuivants. The king spoke to him, at some distance from her; and seemed to expostulate with him, in the severest manner; she even overheard the appellations of *knave*, *fool*, and *beast*, which he liberally bestowed upon that magistrate; and then ordered him to depart his presence: she afterwards interposed, to



mitigate his anger: he said to her, "Poor soul! you know not how ill entitled this man is to your good offices." Thenceforth the queen, having narrowly escaped so great a danger, was careful not to offend Henry's humour, by any contradiction: and Gardiner, whose malice had endeavoured to widen the breach, could never, afterwards, regain his favour and good opinion.<sup>1</sup>

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But Henry's tyrannical disposition, soured by ill health, burst out, soon after, to the destruction of a man, who possessed a much superior rank to that of Gardiner. The duke of Norfolk and his father, during this whole reign, and even a part of the foregoing, had been regarded as the greatest subjects in the kingdom, and had rendered considerable service to the crown. The duke himself had, in his youth, acquired reputation by naval enterprises: he had much contributed to the victory gained over the Scots, at Flouden: he had suppressed a dangerous rebellion, in the north: and he had always done his part, with honour, in all the expeditions against France. Fortune seemed to conspire with his own industry, in raising him to the greatest elevation. From the favours heaped on him, by the crown, he had acquired an immense estate: the king had, successively, been married to two of his nieces; and the king's natural son, the duke of Richmond, had married his daughter: besides his descent from the ancient family of the Moubrays, by which he was allied to the throne, he had espoused a daughter of the duke of Buckingham, who was descended, by a female, from Edward III.: and as he was believed still to adhere, secretly, to the ancient religion, he was regarded, both abroad and at home, as the head of the catholic party. But all these circumstances, in proportion as they exalted the duke, provoked the jealousy of Henry; and he foresaw danger, during his son's minority, both to the public tranquillity, and to the new ecclesiastical system, from the attempts of so potent a subject. But nothing tended more to expose Norfolk to the king's displeasure, than the prejudices which Henry had entertained against the earl of Surrey, son of that nobleman.

Surrey was a young man of the most promising hopes, and had distinguished himself by every accomplishment which became a scholar, a courtier, and a soldier. He excelled in all the military exercises, which were then in request: he encouraged the fine arts, by his patronage and example: he had made some successful attempts in poetry: and, being smitten with the romantic gallantry of the age, he celebrated the praises of his mistress, by his pen and his lance, in every masque and tournament. His spirit and ambition were equal to his talents and his quality; and he did not always regulate his conduct by the caution and reserve which his situation required. He had been left governor of Boulogne, when that town was taken by Henry;

<sup>1</sup> Burnet, vol. i. p. 344. Herbert, p. 560. Speed, p. 780. Fox's Acts and Mounments, vol. ii. p. 58.

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but, though his personal bravery was unquestioned, he had been unfortunate, in some recounters with the French. The king, somewhat displeased with his conduct, had sent over Hertford, to command in his place; and Surrey was so imprudent, as to drop some menacing expressions against the ministers, on account of this affront, which was put upon him. And, as he had refused to marry Hertford's daughter, and even waved every other proposal of marriage, Henry imagined, that he had entertained views of espousing the lady Mary; and he was instantly determined to repress, by the most severe expedients, so dangerous an ambition.

12th Dec.

Actuated by all these motives, and, perhaps, influenced by that old disgust, with which the ill conduct of Catharine Howard had inspired him against her whole family, he gave private orders, to arrest Norfolk and Surrey; and they were, on the same day, confined in the Tower. Surrey being a commoner, his trial was the more expeditious; and as to proofs, neither parliaments nor juries seem ever to have given the least attention to them, in any cause of the crown, during this whole reign. He was accused of entertaining, in his family, some Italians, who were *suspected* to be spies; a servant of his had paid a visit to cardinal Pole, in Italy, whence he was *suspected* of holding a correspondence with that obnoxious prelate; he had quartered the arms of Edward, the Confessor, on his scutcheon, which made him be *suspected* of aspiring to the crown, though both he and his ancestors had openly, during the course of many years, maintained that practice, and the heralds had even justified it, by their authority. These were the crimes, for which a jury, notwithstanding his eloquent and spirited defence, condemned the earl of Surrey, for high treason; and their sentence was, soon after, executed upon him.

Execution  
of the earl  
of Surrey.Attainder  
of the  
duke of  
Norfolk.

The innocence of the duke of Norfolk, was still, if possible, more apparent than that of his son; and his services to the crown had been greater. His dutchess, with whom he lived on bad terms, had been so base, as to carry intelligence to his enemies, of all she knew against him: Elizabeth Holland, a mistress of his, had been equally subservient to the designs of the court: yet, with all these advantages, his accusers discovered no greater crime, than his once saying, that the king was sickly, and could not hold out long: and the kingdom was likely to fall into disorders, through the diversity of religious opinions. He wrote a pathetic letter to the king, pleading his past services, and protesting his innocence: soon after, he embraced a more proper expedient for appeasing Henry, by making a submission and confession, such as his enemies required: but nothing could mollify the unrelenting temper of the king. He assembled a parliament, as the surest and most expeditious instrument of his tyranny; and the house of peers, without examining the prisoner, without trial or evidence, passed a bill of attainder against him, and sent it down to the commons. Crammer, though engaged for many

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years in an opposite party to Norfolk, and though he had received many and great injuries from him, would have no hand in so unjust a prosecution; and he retired to his seat, at Croydon.<sup>1</sup> The king was now approaching fast towards his end; and fearing lest Norfolk should escape him, he sent a message to the commons, by which he desired them to hasten the bill, on pretence that Norfolk enjoyed the dignity of earl marshal, and it was necessary to appoint another, who might officiate at the ensuing ceremony of installing his son prince of Wales. The obsequious commons obeyed his directions, though founded on so frivolous a pretence; and the king having affixed the royal assent to the bill, by commissioners, issued orders for the execution of Norfolk, on the morning of the twenty-ninth of January. But news being carried to the Tower, that the king himself had expired that night, the lieutenant deferred obeying the warrant; and it was not thought advisable, by the council, to begin a new reign by the death of the greatest nobleman in the kingdom, who had been condemned by a sentence so unjust and tyrannical.

The king's health had long been in a declining state; but for several days, all those near him plainly saw his end approaching. He was become so froward, that no one durst inform him of his condition; and as some persons during this reign had suffered as traitors, for foretelling the king's death,<sup>2</sup> every one was afraid, lest, in the transports of his fury, he might on this pretence punish capitally the author of such friendly intelligence. At last, Sir Anthony Denny ventured to disclose to him the fatal secret, and exhorted him to prepare for the fate which was awaiting him. He expressed his resignation, and desired that Cranmer might be sent for: but before the prelate arrived, he was speechless, though he still seemed to retain his senses. Cranmer desired him to give some sign of his dying in the faith of Christ: he squeezed the prelate's hand, and immediately expired, after a reign of thirty-seven years and nine months; and in the sixteenth year of his age.

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Death of  
the king.

The king had made his will, near a month before his demise; in which he confirmed the destination of parliament, by leaving the crown, first to prince Edward, then to the lady Mary, next to the lady Elizabeth. The two princesses he obliged, under the penalty of forfeiting their title to the crown, not to marry, without consent of the council, which he appointed for the government of his minor son. After his own children, he settled the succession on Frances Brandon, marchioness of Dorset, elder daughter of his sister, the French queen; then on Eleanor, countess of Cumberland, the second daughter. In passing over the posterity of the queen of Scots, his elder sister, he made use of the power obtained from parliament; but, as he subjoined, that after the failure of the French queen's posterity, the crown

<sup>1</sup> Burnet, vol. i. p. 348. Fox.    <sup>2</sup> Lanquet's Epitome of Chronicles, in the year 1541.

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should descend to the next lawful heir, it afterwards became a question, whether these words could be applied to the Scottish line. It was thought that these princes were not the next heirs, after the house of Suffolk, but before that house; and that Henry, by expressing himself in this manner, meant entirely to exclude them. The late injuries which he had received, from the Scots, had irritated him extremely against that nation; and he maintained, to the last, that character of violence and caprice, by which his life had been so much distinguished. Another circumstance of his will may suggest the same reflection, with regard to the strange contrarieties of his temper and conduct: he left money for masses to be said, for delivering his soul from purgatory; and though he destroyed all those institutions, established by his ancestors and others, for the benefit of *their* souls; and had even left the doctrine of purgatory doubtful, in all the articles of faith, which he promulgated during his later years, he was yet determined, when the hour of death was approaching, to take care, at least, of his own future repose, and to adhere to the safer side of the question.<sup>1</sup>

His character.

It is difficult to give a just summary of this prince's qualities; he was so different from himself, in different parts of his reign, that, as is well remarked by lord Herbert, his history is his best character and description. The absolute, uncontrolled authority, which he maintained at home, and the regard which he acquired among foreign nations, are circumstances which entitle him, in some degree, to the appellation of a *great* prince; while his tyranny and barbarity exclude him from the character of a *good* one. He possessed, indeed, great vigour of mind, which qualified him for exercising dominion over men, courage, intrepidity, vigilance, inflexibility: and, though these qualities lay not always under the guidance of a regular and solid judgment, they were accompanied with good parts, and an extensive capacity; and every one dreaded a contest with a man, who was known never to yield or to forgive; and who, in every controversy, was determined either to ruin himself or his antagonist. A catalogue of his vices would comprehend many of the worst qualities incident to human nature: violence, cruelty, profusion, rapacity, injustice, obstinacy, arrogance, bigotry, presumption, caprice: but neither was he subject to all these vices, in the most extreme degree; nor was he, at intervals, altogether destitute of virtue: he was sincere, open, gallant, liberal, and capable at least of a temporary friendship and attachment. In this respect, he was unfortunate that the incidents of his reign served to display his faults in their full light; the treatment which he met with, from the court of Rome, provoked him to violence; the danger of a revolt from his superstitious subjects, seemed to require the most extreme severity. But it must, at the same time, be

<sup>1</sup> See his will, in Fuller, Heylin, and Rymer, p. 110. There is no reasonable ground to suspect its authenticity.



acknowledged, that his situation tended to throw an additional lustre on what was great and magnanimous in his character: the emulation between the emperor and the French king rendered his alliance, notwithstanding his impolitic conduct, of great importance in Europe: the extensive powers of his prerogative, and the submissive, not to say slavish disposition of his parliaments, made it the more easy for him to assume and maintain that entire dominion, by which his reign is so much distinguished in the English history.

It may seem a little extraordinary, that, notwithstanding his cruelty, his extortion, his violence, his arbitrary administration, this prince not only acquired the regard of his subjects, but never was the object of their hatred: he seems even, in some degree, to have possessed to the last their love and affection.<sup>1</sup> His exterior qualities were advantageous, and fit to captivate the multitude: his magnificence and personal bravery rendered him illustrious in vulgar eyes: and it may be said with truth, that the English in that age were so thoroughly subdued, that, like eastern slaves, they were inclined to admire those acts of violence and tyranny, which were exercised over themselves and at their own expense.

With regard to foreign states, Henry appears long to have supported an intercourse of friendship with Francis, more sincere and disinterested than usually takes place between neighbouring princes. Their common jealousy of the emperor, Charles, and some resemblance in their characters, (though the comparison sets the French monarch in a very superior and advantageous light,) served as the cement of their mutual amity. Francis is said to have been affected with the king's death, and to have expressed much regret for the loss. His own health began to decline: he foretold that he should not long survive his friend;<sup>2</sup> and he died, in about two months after him.

There were ten parliaments summoned by Henry VIII. and twenty-three sessions held. The whole time, in which these parliaments sat, during this long reign, exceeded not three years and a half. It amounted not to a twelvemonth, during the first twenty years. The innovations in religion obliged the king afterwards to call these assemblies more frequently: but, though these were the most important transactions that ever fell under the cognizance of parliament, their devoted submission to Henry's will, added to their earnest desire of soon returning to their country seats, produced a quick despatch of the bills, and made the sessions of short duration. All the king's caprices were, indeed, blindly complied with, and no regard was paid to the safety or liberty of the subject. Besides the violent persecution of whatever he was pleased to term heresy, the laws of treason were multiplied, beyond all former precedent. Even words to the disparagement of the king, queen, or royal issue, were subjected

Miscellaneous  
transac-  
tions.

<sup>1</sup> Styrpe, vol. i. p. 389.      <sup>2</sup> Le Thou.

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to that penalty; and so little care was taken, in framing these rigorous statutes, that they contain obvious contradictions; inso-much, that had they been strictly executed, every man, without exception, must have fallen under the penalty of treason. By one statute,<sup>1</sup> for instance, it was declared treason to assert the validity of the king's marriage either with Catharine, of Arragon or Anne Boleyn; by another,<sup>2</sup> it was treason to say any thing to the disparagement or slander of the princesses Mary and Elizabeth; and to call them spurious, would, no doubt, have been construed to their slander. Nor would even a profound silence, with regard to these delicate points, be able to save a person from such penalties. For, by the former statute, whoever refused to answer, upon oath, to any point contained in that act, was subjected to the pains of treason. The king, therefore, needed only propose to any one a question, with regard to the legality of either of his first marriages; if the person was silent, he was a traitor, by law: if he answered, either in the negative or in the affirmative, he was no less a traitor. So monstrous were the inconsistencies, which arose from the furious passions of the king, and the slavish submission of his parliaments. It is hard to say, whether these contradictions were owing to Henry's precipitancy, or to a formed design of tyranny.

It may not be improper to recapitulate whatever is memorable in the statutes of this reign, whether with regard to government or commerce: nothing can better show the genius of the age than such a review of the laws.

The abolition of the ancient religion much contributed to the regular execution of justice. While the catholic superstition subsisted, there was no possibility of punishing any crime in the clergy. The church would not permit the magistrate to try the offences of her members, and she could not herself inflict any civil penalties upon them. But Henry restrained these pernicious immunities. The privilege of clergy was abolished, for the crimes of petty treason, murder and felony, to all under the degree of a subdeacon.<sup>3</sup> But the former superstition not only protected crimes in the clergy; it exempted also the laity from punishment, by affording them shelter in the churches and sanctuaries. The parliament abridged these privileges. It was first declared that no sanctuaries were allowed, in cases of high treason;<sup>4</sup> next, in those of murder, felony, rapes, burglary and petty treason;<sup>5</sup> and it limited them in other particulars.<sup>6</sup> The farther progress of the reformation, removed all distinction between the clergy and other subjects; and also abolished entirely the privileges of sanctuaries. These consequences were implied in the neglect of the canon law.

The only expedient employed to support the military spirit, during this age, was the reviving and extending of some old

<sup>1</sup> 28 Hen. VIII. c. 7.    <sup>2</sup> 34, 35 Hen. VIII. c. 1.    <sup>3</sup> 23 Hen. VIII. c. 1.  
<sup>4</sup> 26 Hen. VIII. c. 14.    <sup>5</sup> 32 Hen. VIII. c. 12.    <sup>6</sup> 22 Hen. VIII. c. 14.

laws, enacted for the encouragement of archery, on which the defence of the kingdom was supposed much to depend. Every man was ordered to have a bow;<sup>1</sup> butts were ordered to be erected in every parish:<sup>2</sup> and every bowyer was ordered, for each bow of yew which he made, to make two of elm or wiche, for the service of the common people.<sup>3</sup> The use of cross-bows and hand-guns was also prohibited.<sup>4</sup> What rendered the English bowmen more formidable, was, that they carried halberts with them, by which they were enabled, upon occasion, to engage in close fight with the enemy.<sup>5</sup> Frequent musters, or arrays, were also made of the people, even during time of peace; and all men of substance were obliged to have a complete suit of armour or harness, as it was called.<sup>6</sup> The martial spirit of the English during that age rendered this precaution, it was thought, sufficient for the defence of the nation; and, as the king had then an absolute power of commanding the service of all his subjects, he could instantly, in case of danger, appoint new officers, and levy regiments, and collect an army as numerous as he pleased. When no faction or division prevailed among the people, there was no foreign power that ever thought of invading England. The city of London, alone, could muster fifteen thousand men.<sup>7</sup> Discipline, however, was an advantage wanting to those troops; though the garrison of Calais was a nursery of officers; and Tournay first,<sup>8</sup> Boulogne afterwards, served to increase the number. Every one who served abroad was allowed to alienate his lands, without paying any fees.<sup>9</sup> A general permission was granted to dispose of land by will.<sup>10</sup> The parliament was so little jealous of its privileges, (which, indeed, were at that time scarcely worth preserving,) that there is an instance of one Strode, who, because he had introduced into the lower house some bill regarding tin, was severely treated by the Stannery courts in Cornwall: heavy fines were imposed on him; and, upon his refusal to pay, he was thrown into a dungeon, loaded with irons, and used in such a manner, as brought his life in danger; yet, all the notice which the parliament took of this enormity, even in such a paltry court, was to enact, that no man could afterwards be questioned for his conduct in parliament.<sup>11</sup> This prohibition, however, must be supposed to extend only to the inferior courts: for, as to the king, and privy council, and star-chamber, they were scarcely bound by any law.

There is a bill of tonnage and poundage, which shows what uncertain ideas the parliament had formed, both of their own privileges, and the rights of the sovereign.<sup>12</sup> This duty had been

<sup>1</sup> 3 Hen. VIII. c. 3.    <sup>2</sup> Ibid.    <sup>3</sup> Ibid.    <sup>4</sup> 3 Hen. VIII. c. 13.    <sup>5</sup> Herbert.  
<sup>6</sup> Hall, fol. 234.    Stowe, p. 515.    Holingshed, p. 947.    <sup>7</sup> Hall, fol. 235.  
Holingshed, p. 547.    Stowe, p. 577.    <sup>8</sup> Hall, fol. 68.    <sup>9</sup> 14 and 15 Hen. VIII.  
c. 15.    <sup>10</sup> 34 and 35 Hen. VIII. c. 5.    <sup>11</sup> 4 Hen. VIII. c. 8.    <sup>12</sup> 6 Hen. VIII.  
c. 14.



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voted to every king, since Henry IV. during the term of his own life only: yet Henry VIII. had been allowed to levy it six years without any law; and though there had been four parliaments assembled, during that time, no attention had been given either to grant it to him regularly, or restrain him from levying it. At last, the parliament resolved to give him that supply; but even in this concession they plainly show themselves at a loss to determine, whether they grant it, or whether he has a right of himself to levy it. They say that the imposition was made to endure during the natural life of the late king, and no longer; they yet blame the merchants, who had not paid it to the present king: they observe, that the law for tonnage and poundage was expired; yet make no scruple to call that imposition the king's due: they affirm, that he had sustained great and manifold losses, by those who had defrauded him of it; and to provide a remedy, they vote him that supply during his lifetime, and no longer. It is remarkable that, notwithstanding this last clause, all his successors, for more than a century, persevered in the like irregular practice, if a practice may deserve that epithet, in which the whole nation acquiesced, and which gave no offence. But when Charles I. attempted to continue in the same course, which had now received the sanction of many generations, so much were the opinions of men altered, that a furious tempest was excited by it; and historians, partial or ignorant, still represent this measure as a most violent and unprecedented enormity in that unhappy prince.

The king was allowed to make laws for Wales, without consent of parliament.<sup>1</sup> It was forgotten that, with regard both to Wales and England, the limitation was abolished by the statute which gave to the royal proclamations the force of laws.

The foreign commerce of England, during this age, was mostly confined to the Netherlands. The inhabitants of the Low Countries bought the English commodities, and distributed them into other parts of Europe. Hence, the mutual dependence of those countries on each other; and the great loss sustained by both, in case of a rupture. During all the variations of politics, the sovereigns endeavoured to avoid coming to this extremity; and though the king usually bore a greater friendship to Francis, the nation always leaned towards the emperor.

In 1528, hostilities commenced between England and the Low Countries; and the inconvenience was soon felt on both sides. While the Flemings were not allowed to purchase cloth in England, the English merchants could not buy it from the clothiers, and the clothiers were obliged to dismiss their workmen, who began to be tumultuous for want of bread. The cardinal, to appease them, sent for the merchants, and ordered them to buy cloth as usual: they told him, that they could not dispose of it as usual; and, notwithstanding his menaces, he

<sup>1</sup> 34 Henry VIII.



could get no other answer from them.<sup>1</sup> An agreement was at last made, to continue the commerce between the states, even during war.

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It was not till the end of this reign, that any sallads, carrots, turnips, or other edible roots, were produced in England. The little of these vegetables that were used, was formerly imported from Holland and Flanders.<sup>2</sup> Queen Catharine, when she wanted a sallad, was obliged to despatch a messenger thither, on purpose. The use of hops, and the planting of them, was introduced, from Flanders, about the beginning of this reign, or end of the preceding.

Foreign artificers, in general, much surpassed the English, in dexterity, industry and frugality: hence the violent animosity which the latter, on many occasions, expressed against any of the former, who were settled in England. They had the assurance to complain, that all their customers went to foreign tradesmen; and, in the year 1517, being moved by the seditious sermons of one Dr. Bele, and the intrigues of Lincoln, a broker, they raised an insurrection. The apprentices, and others, of the poorer sort, in London, began by breaking open the prisons, where some persons were confined for insulting foreigners. They next proceeded to the house of Meutas, a Frenchman, much hated by them; where they committed great disorders; killed some of his servants; and plundered his goods. The mayor could not appease them, nor Sir Thomas More, late under-sheriff, though much respected in the city. They also threatened cardinal Wolsey with some insult; and he thought it necessary to fortify his house, and put himself on his guard. Tired, at last, with these disorders, they dispersed themselves; and the earls of Shrewsbury and Surrey seized some of them. A proclamation was issued that women should not meet together, to babble and talk, and that all men should keep their wives in their houses. Next day, the duke of Norfolk came into the city, at the head of thirteen hundred armed men, and made inquiry into the tumult. Bele and Lincoln, and several others, were sent to the Tower, and condemned for treason. Lincoln and thirteen more were executed. The other criminals, to the number of four hundred, were brought before the king, with ropes about their necks, fell on their knees, and cried for mercy. Henry knew, at that time, how to pardon; he dismissed them, without farther punishment.<sup>3</sup>

So great was the number of foreign artisans in the city, that at least fifteen thousand Flemings, alone, were, at one time, obliged to leave it, by an order of council, when Henry became jealous of their favour for queen Catharine.<sup>4</sup> Henry himself confesses, in an edict of the star-chamber, printed among the statutes, that the foreigners tarved the natives; and obliged them, from idle-

<sup>1</sup> Hall, folio 174. <sup>2</sup> Anderson, vol. i. p. 338. <sup>3</sup> Stowe, 505. Holingshed, 840. <sup>4</sup> Le Grand, vol. iii. p. 232.

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ness, to have recourse to theft, murder, and other enormities.<sup>1</sup> He also asserts, that the vast multitude of foreigners raised the price of grain and bread.<sup>2</sup> And, to prevent an increase of the evil, all foreign artificers were prohibited from having above two foreigners in their house, either journeymen or apprentices. A like jealousy arose against the foreign merchants; and to appease it, a law was enacted, obliging all denizens to pay the duties imposed upon aliens.<sup>3</sup> The parliament had done better to have encouraged foreign merchants and artisans to come over in greater numbers to England; which might have excited the emulation of the natives, and have improved their skill. The prisoners in the kingdom, for debts and crimes, are asserted, in an act of parliament, to be sixty thousand persons, and above;<sup>4</sup> which is scarcely credible. Harrison asserts, that seventy-two thousand criminals were executed, during, this reign, for theft and robbery, which would amount nearly to two thousand a year. He adds, that in the latter end of Elizabeth's reign, there were not punished, capitally, four hundred in a year: it appears that, in all England, there are not at present, fifty executed for those crimes. If these facts be just, there has been a great improvement in morals since the reign of Henry VIII. And this improvement has been chiefly owing to the increase of industry and of the arts, which have given maintenance, and, what is almost of equal importance, occupation, to the lower classes.

There is a remarkable clause in a statute, passed near the beginning of this reign,<sup>5</sup> by which we might be induced to believe, that England was extremely decayed from the flourishing condition which it had attained in preceding times. It had been enacted, in the reign of Edward II. that no magistrate, in town or borough, who, by his office, ought to keep assize, should, during the continuance of his magistracy, sell, either in wholesale or retail, any wine or victuals. This law seemed equitable, in order to prevent fraud, or private views, in fixing the assize: yet the law is repealed in this reign. The reason assigned, is, that “since the making of that statute and ordinance, many, and the most part of all the cities, boroughs, and towns corporate, within the realm of England, are fallen in ruin and decay, and are not inhabited by merchants, and men of such substance, as at the time of making that statute: for, at this day, the dwellers and inhabitants of the same cities and boroughs are commonly bakers, vintners, fishmongers, and other victuallers, and there remain few others to bear the offices.” Men have such a propensity to exalt past times above the present, that it seems dangerous to credit this reasoning of the parliament, without farther evidence to support it. So different are the views in which the same object appears, that some may be inclined to draw an op-

<sup>1</sup> 21 Hen. VIII. <sup>2</sup> Ibid. <sup>3</sup> 22 Hen. VIII. c. 8. <sup>4</sup> 3 Hen. VIII. c. 15. <sup>5</sup> Hen. VIII. c. 8.

posite inference from this fact. A more regular police was established in the reign of Henry VIII. than in any former period, and a stricter administration of justice; an advantage, which induced the men of landed property to leave the provincial towns, and to retire into the country. Cardinal Wolsey, in a speech to parliament, represented it as a proof of the increase of riches, that the customs had increased beyond what they were formerly.<sup>1</sup>

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But, if there were really a decay of commerce and industry, and populousness in England, the statutes of this reign, except by abolishing monasteries, and retrenching holidays, circumstances of considerable moment, were not, in other respects, well calculated to remedy the evil. The fixing of the wages of artificers was attempted:<sup>2</sup> luxury in apparel was prohibited by repeated statutes;<sup>3</sup> and probably without effect. The chancellor and other ministers were employed to fix the price of poultry, cheese and butter.<sup>4</sup> A statute was even passed to fix the price of beef, pork, mutton and veal.<sup>5</sup> Beef and pork were ordered to be sold at a half-penny a pound: mutton and veal, at a half-penny half a farthing, money of that age. The preamble of the statute says, that these four species of butcher's meat were the food of the poorer sort. This act was afterwards repealed.<sup>6</sup>

The practice of depopulating the country, by abandoning tillage, and throwing the lands into pasturage, still continued,<sup>7</sup> as appears by the new laws, which were, from time to time, enacted against that practice. The king was entitled to half the rents of the land, where any farm-houses were allowed to fall to decay.<sup>8</sup> The unskilful husbandry was, probably, the cause why the proprietors found no profit in tillage. The number of sheep allowed to be kept in one flock was restrained to two thousand.<sup>9</sup> Sometimes, says the statute, one proprietor or farmer, would keep a flock of twenty-four thousand. It is remarkable, that the parliament ascribes the increasing price of mutton to this increase of sheep: because, say they, the commodity being gotten into few hands, the price of it is raised at pleasure.<sup>10</sup> It is more probable, that the effect proceeded from the daily increase of money: for it seems almost impossible, that such a commodity could be engrossed.

In the year 1544, it appears that an acre of good land, in Cambridgeshire, was let at a shilling, or about fifteen pence, of our present money.<sup>11</sup> This is ten times cheaper than the usual rent, at present. But commodities were not above four times cheaper, a presumption of the bad husbandry, in that age.

Some laws were made, with regard to beggars and vagrants;<sup>12</sup>

<sup>1</sup> Hall, folio 110. <sup>2</sup> 6 Hen. VIII. c. 3. <sup>3</sup> 1 Hen. VIII. c. 14. <sup>4</sup> 6 Hen. VIII. c. 1. <sup>5</sup> 7 Hen. VIII. c. 7. <sup>6</sup> 25 Hen. VIII. c. 2. <sup>7</sup> 24 Hen. VIII. c. 3. <sup>8</sup> 33 Hen. VIII. c. 11. <sup>9</sup> Strype, vol. i. p. 392. <sup>10</sup> 6 Hen. VIII. c. 5. <sup>11</sup> 7 Hen. VIII. c. 1. <sup>12</sup> 25 Hen. VIII. c. 13. <sup>13</sup> Ibid. <sup>14</sup> Anderson, vol. i. p. 374. <sup>15</sup> 22 Hen. VIII. c. 12. <sup>16</sup> 22 Hen. VIII. c. 5.

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one of the circumstances in government, which humanity would most powerfully recommend to a benevolent legislator; which seems, at first sight, the most easily adjusted; and which is yet the most difficult to settle in such a manner as to attain the end, without destroying industry. The convents, formerly, were a support to the poor, but, at the same time, tended to encourage idleness and beggary.

In 1546, a law was made for fixing the interest of money at ten per cent. the first legal interest known in England. Formerly all loans of that nature were regarded as usurious. The preamble of this very law treats the interest of money as illegal and criminal: and the prejudices still remained so strong, that the law permitting interest was repealed in the following reign.

This reign, as well as many of the foregoing, and even subsequent reigns, abounds with monopolizing laws, confining particular manufactures to particular towns, or excluding the open country in general.<sup>1</sup> There remained still too many traces of similar absurdities. In the subsequent reign, the corporations which had been opened by a former law, and obliged to admit tradesmen of different kinds, were again shut up by act of parliament; and every one was prohibited from exercising any trade, who was not of the corporation.<sup>2</sup>

Henry, as he possessed himself some talent for letters, was an encourager of them in others. He founded Trinity College, in Cambridge, and gave it ample endowments. Wolsey founded Christ Church, in Oxford, and intended to call it Cardinal College: but, upon his fall, which happened before he had entirely finished his scheme, the king seized all the revenues; and this violence, above all the other misfortunes of that minister, is said to have given him the greatest concern.<sup>3</sup> But Henry, afterwards, restored the revenues of the college, and only changed the name. The cardinal founded, in Oxford, the first chair for teaching Greek; and this novelty rent that university into violent factions, which frequently came to blows. The students divided themselves into parties, which bore the names of Greeks and Trojans, and sometimes fought with as great animosity as was formerly exercised by those hostile nations. A new, and more correct method of pronouncing Greek, being introduced, it also divided the Grecians themselves into parties; and it was remarked, that the catholics favoured the former pronunciation, the protestants gave countenance to the new. Gardiner employed the authority of the king and council to suppress innovations in this particular, and to preserve the corrupt sound of the Greek alphabet. So little liberty was then allowed, of any kind! The penalties inflicted upon the new pronunciation were no less than whipping, degradation and expulsion; and the bishop declared, that rather than permit the liberty of innovation in the

<sup>1</sup> 21 Hen. VIII. c. 12. 25 Hen. VIII. c. 18. 3 & 4 Edw. VI. c. 20. 5 & 6 Edw. VI. c. 24. <sup>2</sup> 3 & 4 Edw. VI. c. 20. <sup>3</sup> Strype, vol. i. p. 117.



pronunciation of the Greek alphabet, it were better that the language itself were totally banished the universities. The introduction of the Greek language into Oxford excited the emulation of Cambridge.<sup>1</sup> Wolsey intended to have enriched the library of his college at Oxford with copies of all the manuscripts that were in the Vatican.<sup>2</sup> The countenance given to letters, by this king and his ministers, contributed to render learning fashionable in England: Erasmus speaks, with great satisfaction, of the general regard paid by the nobility and gentry to men of knowledge. It is needless to be particular in mentioning the writers of this reign, or of the preceding. There is no man, of that age, who had the least pretension to be ranked among our classics. Sir Thomas More, though he wrote in Latin, seems to come the nearest to the character of a classical author.

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<sup>1</sup> Wood's Hist. and Antiq. Oxon. lib. i. p. 245. <sup>2</sup> Ibid. p. 249. <sup>3</sup> Epist. ad Banisium. Also Epist. p. 368.

## CHAPTER XXXIV.

## EDWARD VI.

State of the Regency—Innovations in the Regency—Hertford protector—Reformation completed—Gardiner's Opposition—Foreign Affairs—Progress of the Reformation in Scotland—Assassination of cardinal Beaton—Conduct of the War with Scotland—Battle of Pinkey—A Parliament—Farther progress of the Reformation—Affairs of Scotland—Young Queen of Scots sent into France—Cabals of lord Seymour—Dudley, earl of Warwick—A Parliament—Attainder of lord Seymour—His Execution—Ecclesiastical Affairs.

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the re-  
gency.

THE late king, by the regulations which he imposed on the government of his infant son, as well as by the limitations of the succession, had projected to reign, even after his decease; and he imagined that his ministers, who had always been obsequious to him during his lifetime, would never afterwards depart from the plan which he had traced out to them. He fixed the majority of the prince at the completion of his eighteenth year; and, as Edward was then only a few months past nine, he appointed sixteen executors, to whom, during the minority, he entrusted the government of the kingdom. Their names were, Cranmer, archbishop of Canterbury; lord Wriothesely, chancellor; lord St. John, great master; lord Russel, privy seal: the earl of Hertford, chamberlain; viscount Lisle, admiral; Tonstal, bishop of Durham; Sir Anthony Brown, master of horse; Sir William Paget, secretary of state; Sir Edward North, chancellor of the court of augmentations; Sir Edward Montague, chief justice of the common pleas; judge Bromley; Sir Anthony Denny, and William Herbert, chief gentlemen of the privy chamber; Sir Edward Wotton, treasurer of Calais; Dr. Wotton, dean of Canterbury. To these executors, with whom was intrusted the whole regal authority, were appointed twelve counsellors, who possessed no immediate power, and could only assist, with their advice, when any affair was laid before them. The council was composed of the earls of Arundel and Essex; Sir Thomas Cheney, treasurer of the household; Sir John Gage, comptroller; Sir Anthony Wingfield, vice chamberlain; Sir William Petre, secretary of state; Sir Richard Rich, Sir John Baker, Sir Ralph Sadler, Sir Thomas Seymour, Sir Richard Southwel, and Sir Edmund Peckham.<sup>1</sup> The usual caprice of Henry appears somewhat in this nomination; while he appointed several persons of inferior station among his executors, and gave only the place of counsellor to a person of such high rank as the earl of Arundel, and to Sir Thomas Seymour, the king's uncle.

But the first act of the executors and counsellors was to depart from the destination of the late king, in a material article.

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<sup>1</sup> Strype's Memor. vol. ii. p. 457.

No sooner were they met, than it was suggested, that the government would lose its dignity for want of some head, who might represent the royal majesty, who might receive addresses from foreign ambassadors, to whom despatches from English ministers abroad might be carried, and whose name might be employed in all orders and proclamations: and as the king's will seemed to labour under a defect in this particular, it was deemed necessary to supply it, by choosing a protector, who, though he should possess all the exterior symbols of royal dignity, should yet be bound, in every act of power, to follow the opinion of the executors.<sup>1</sup> This proposal was very disagreeable to chancellor Wriothesely. That magistrate, a man of an active spirit and high ambition, found himself, by his office, entitled to the first rank in the regency after the primate; and, as he knew that this prelate had no talent or inclination for state affairs, he hoped that the direction of public business would, of course, devolve in a great measure upon himself. He opposed, therefore, the proposal of choosing a protector; and represented that innovation, as an infringement of the late king's will, which, being corroborated by act of parliament, ought, in every thing, to be a law to them, and could not be altered, but by the same authority which had established it. But he seems to have stood alone in the opposition. The executors and counsellors were mostly courtiers, who had been raised by Henry's favour, not men of high birth, or great hereditary influence; and, as they had been sufficiently accustomed to submission during the reign of the late monarch, and had no pretensions to govern the nation by their own authority, they acquiesced the more willingly in a proposal, which seemed calculated for preserving public peace and tranquillity. It being, therefore, agreed to name a protector, the choice fell, of course, on the earl of Hertford, who, as he was the king's maternal uncle, was strongly interested in his safety; and possessing no claims to inherit the crown, could never have any separate interest, which might lead him to endanger Edward's person or his authority.<sup>2</sup> The public were informed by proclamation of this change in the administration; and despatches were sent to all foreign courts, to give them intimation of it. All those who were possessed of any office resigned their former commissions, and accepted new ones, in the name of the young king. The bishops, themselves, were constrained to make a like submission. Care was taken to insert in their new commissions, that they held their offices during pleasure:<sup>3</sup> and it is there expressly affirmed, that all manner of authority and jurisdiction, as well ecclesiastical as civil, is originally derived from the crown.<sup>4</sup>

The executors, in their next measure, showed a more submissive deference to Henry's will; because many of them found

<sup>1</sup> Burnet, vol. ii. p. 5. <sup>2</sup> Heylin, Hist. Ref. Edw. VI. <sup>3</sup> Collier, vol. ii. p. 218. Burnet, vol. ii. p. 6. Strype's Mem. of Cranm. p. 141. <sup>4</sup> Strype's Mem. of Cranm. p. 141.

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their account in it. The late king had intended, before his death, to make a new creation of nobility, in order to supply the place of those peerages which had fallen by former attainders, or the failure of issue; and, that he might enable the new peers to support their dignity, he had resolved, either to bestow estates on them, or advance them to higher offices. He had even gone so far as to inform them of this resolution; and, in his will, he charged his executors to make good all his promises.<sup>1</sup> That they might ascertain his intentions in the most authentic manner, Sir William Paget, Sir Anthony Denny, and Sir William Herbert, with whom Henry had always conversed in a familiar manner, were called before the board of regency; and, having given evidence of what they knew concerning the king's promises, their testimony was relied on, and the executors proceeded to the fulfilling of these engagements. Hertford was created duke of Somerset, mareschal and lord treasurer; Wriothesely earl of Southampton; the earl of Essex, marquis of Northampton; viscount Lisle, earl of Warwick; Sir Thomas Seymour, lord Seymour of Sudley, and admiral; Sir Richard Rich, Sir William Willoughby, Sir Richard Sheffield, accepted the title of baron.<sup>2</sup> Several, to whom the same dignity was offered, refused it; because the other part of the king's promises, the bestowing of estates on these new noblemen, was deferred till a more convenient opportunity. Some of them, however, as also Somerset, the protector, were, in the mean time, endowed with spiritual preferments, deaneries and prebends. For, among many other invasions of ecclesiastical privileges and property, this irregular practice of bestowing spiritual benefices on laymen began now to prevail.

The earl of Southampton had always been engaged in an opposite party to Somerset; and it was not likely that factions, which had secretly prevailed, even during the arbitrary reign of Henry, should be suppressed in the weak administration that usually attends a minority. The former nobleman, that he might have the greater leisure for attending to public business, had, of himself, and from his own authority, put the great seal in commission, and had empowered four lawyers, Southwel, Tregonel, Oliver and Bellasis, to execute, in his absence, the office of chancellor. This measure seemed very exceptionable, and the more so, as two of the commissioners being canonists, the lawyers suspected that, by this nomination, the chancellor had intended to discredit the common law. Complaints were made to the council, who, influenced by the protector, gladly laid hold of the opportunity to depress Southampton. They consulted the judges with regard to so unusual a case, and received, for answer, that the commission was illegal, and that the chancellor, by his presumption in granting it, had justly forfeited the great seal, and was even liable to punishment. The council summoned him to appear before

<sup>1</sup> Fuller, Heylin and Rymer. <sup>2</sup> Stowe's Annals, p. 594



them. He maintained, that he held his office by the late king's will, founded on an act of parliament, and could not lose it without a trial in parliament; that if the commission which he had granted were found illegal, it might be cancelled, and all the ill consequences of it be easily remedied; and that the depriving him of his office, for an error of this nature, was a precedent by which any other innovation might be authorized. But the council, notwithstanding these topics of defence, declared that he had forfeited the great seal; that a fine should be imposed upon him; and that he should be confined to his own house, during pleasure.<sup>1</sup>

The removal of Southampton increased the protector's authority, as well as tended to suppress faction in the regency; yet was not Somerset contented with this advantage: his ambition carried him to seek still farther acquisitions. On pretence that the vote of the executors, choosing him protector, was not a sufficient foundation for his authority, he procured a patent from the young king, by which he entirely overturned the will of Henry VIII., produced a total revolution in the government, and may seem even to have subverted all the laws of the kingdom. He named himself protector with full regal power and appointed a council consisting of all the former counsellors, and all the executors, except Southampton: he reserved a power of naming any other counsellors at pleasure: and he was bound to consult with such only as he thought proper. The protector and his council were, likewise, empowered to act at discretion, and to execute whatever they deemed for the public service, without incurring any penalty or forfeiture, from any law, statute, proclamation or ordinance whatsoever.<sup>2</sup> Even had this patent been more moderate in its concessions, and had it been drawn by directions from the executors appointed by Henry, its legality might justly be questioned; since it seems essential to a trust of this nature, to be exercised by the persons intrusted, and not to admit a delegation to others: but as the patent, by its very tenor, where the executors are not so much as mentioned, appears to have been surreptitiously obtained from a minor king, the protectorship of Somerset was a plain usurpation, which it is impossible, by any arguments, to justify. The connivance, however, of the executors, and their present acquiescence in the new establishment, made it be universally submitted to; and as the young king discovered an extreme attachment to his uncle, who was, also, in the main, a man of moderation and probity, no objections were made to his power and title. All men of sense, likewise, who saw the nation divided by the religious zeal of the opposite sects, deemed it the more necessary to intrust the government to one person, who might check the exorbitances of faction, and ensure the public tranquillity. And though some clauses of the patent

12th Mar.

<sup>1</sup> Holingshed, p. 979.    <sup>2</sup> Burnet, vol. ii. Records, No. 6.

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seemed to imply a formal subversion of all limited government, so little jealousy was then usually entertained on that head, that no exception was ever taken at bare claims or pretensions of this nature, advanced by any person possessed of sovereign power. The actual exercise, alone, of arbitrary administration, and that in many, and great, and flagrant, and unpopular instances, was able, sometimes, to give some umbrage to the nation.

The extensive authority, and imperious character of Henry, had retained the partisans of both religions in subjection; but, upon his demise, the hopes of the protestants, and the fears of the catholics, began to revive, and the zeal of these parties produced, every where, disputes and animosities, the usual preludes to more fatal divisions. The protector had long been regarded as a secret partisan of the reformers; and being now freed from restraint, he scrupled not to discover his intention of correcting all abuses in the ancient religion, and of adopting still more of the protestant innovations. He took care, that all persons entrusted with the king's education should be attached to the same principles; and, as the young prince discovered a zeal for every kind of literature, especially the theological, far beyond his tender years, all men foresaw, in the course of his reign, the total abolition of the catholic faith in England; and they early began to declare themselves in favour of those tenets which were likely to become, in the end, entirely prevalent. After Southampton's fall, few members of the council seemed to retain any attachment to the Romish communion; and most of the counsellors appeared even sanguine, in forwarding the progress of the reformation. The riches which most of them had acquired from the spoils of the clergy, induced them to widen the breach between England and Rome; and, by establishing a contrariety of speculative tenets, as well as of discipline and worship, to render a coalition with the mother church altogether impracticable.<sup>1</sup> Their rapacity, also, the chief source of their reforming spirit, was excited by the prospect of pillaging the secular, as they had already done the regular clergy; and they knew, that while any share of the old principles remained, or any regard to the ecclesiastics, they could never hope to succeed in that enterprise.

The numerous and burdensome superstitions with which the Romish church was loaded, had thrown many of the reformers, by the spirit of opposition, into an enthusiastic strain of devotion; and all rites, ceremonies, pomp, order, and exterior observances, were zealously proscribed by them, as hindrances to their spiritual contemplations, and obstructions to their immediate converse with heaven. Many circumstances concurred to inflame this daring spirit; the novelty itself of their doctrines, the triumph of making proselytes, the furious persecutions to which they were exposed, their animosity against the ancient tenets and practices.

<sup>1</sup> Goodwin's Annals. Heylin.

and the necessity of procuring the concurrence of the laity, by depressing the hierarchy, and by tendering to them the plunder of the ecclesiastics. Wherever the reformation prevailed over the opposition of civil authority, this genius of religion appeared in its full extent, and was attended with consequences which, though less durable, were, for some time, not less dangerous, than those which were connected with the ancient superstition. But, as the magistrate took the lead in England, the transition was more gradual; much of the ancient religion was still preserved; and a reasonable degree of subordination was retained in discipline, as well as some pomp, order and ceremony in public worship.

The protector, in his schemes for advancing the reformation, had always recourse to the counsels of Cranmer, who, being a man of moderation and prudence, was averse to all violent changes, and determined to bring over the people, by insensible innovations, to that system of doctrine and discipline, which he deemed the most pure and perfect. He probably, also, foresaw, that a system, which carefully avoided the extremes of reformation, was likely to be most lasting; and that a devotion, merely spiritual, was fitted only for the first fervours of a new sect, and upon the relaxation of these, naturally gave place to the inroads of superstition. He seems, therefore, to have intended the establishment of a hierarchy, which, being suited to a great and settled government, might stand as a perpetual barrier against Rome, and might retain the reverence of the people, even after their enthusiastic zeal was diminished, or entirely evaporated.

The person who opposed, with greatest authority, any farther advances towards reformation, was Gardiner, bishop of Winchester; who, though he had not obtained a place in the council of regency, on account of late disgusts which he had given to Henry, was entitled, by his age, experience, and capacity, to the highest trust and confidence of his party. The prelate still continued to magnify the great wisdom and learning of the late king, which, indeed, were generally and sincerely revered by the nation; and he insisted on the prudence of persevering, at least till the young king's majority, in the ecclesiastical model established by that great monarch. He defended the use of images, which were now openly attacked by the protestants; and he represented them as serviceable, in maintaining a sense of religion among the illiterate multitude.<sup>1</sup> He even deigned to write an apology for *holy water*, which bishop Ridley had decried in a sermon; and he maintained, that by the power of the Almighty, it might be rendered an instrument of doing good; as much as the shadow of St. Peter, the hem of Christ's garment, or the spittle and clay, laid upon the eyes of the blind.<sup>2</sup> Above all, he insisted, that the laws ought to be observed, that the constitution ought

Gardiner's  
opposi-  
tion.

<sup>1</sup> Fox, vol. ii. p. 712.    <sup>2</sup> Ibid. p. 724.



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 XXXIV. will of the sovereign, in opposition to an act of parliament.<sup>1</sup>

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But, though there remained, at that time, in England, an idea of laws and a constitution, sufficient, at least, to furnish a topic of argument to such as were discontented with an immediate exercise of authority. this plea could scarcely, in the present case, be maintained with any plausibility by Gardiner. An act of parliament had invested the crown with a legislative power; and royal proclamations, even during a minority, were armed with the force of laws. The protector, finding himself supported by this statute, was determined to employ his authority in favour of the reformers; and, having suspended, during the interval, the jurisdiction of the bishops, he appointed a general visitation to be made, in all the dioceses of England.<sup>2</sup> The visitors consisted of a mixture of clergy and laity, and had six circuits assigned them. The chief purport of their instruction was, besides correcting immoralities and irregularities in the clergy, to abolish the ancient superstitions, and to bring the discipline and worship somewhat nearer the practice of the reformed churches. The moderation of Somerset and Cranmer is apparent in the conduct of this delicate affair. The visitors were enjoined to retain, for the present, all images which had not been abused to idolatry; and to instruct the people, not to despise such ceremonies as were not yet abrogated, but only to beware of some particular superstitions, such as the sprinkling of their beds with holy water, and the ringing of bells, or using of consecrated candles, in order to drive away the devil.<sup>3</sup>

But nothing required more the correcting hand of authority, than the abuse of preaching, which was now generally employed throughout England in defending the ancient practices and superstitions. The court of augmentation, in order to ease the exchequer of the annuities paid to monks, had commonly placed them in the vacant churches; and these men were led by interest, as well as by inclination, to support those principles, which had been invented for the profit of the clergy. Orders, therefore, were given, to restrain the topics of their sermons; twelve homilies were published, which they were enjoined to read to the people: and all of them were prohibited, without express permission, from preaching any where but in their parish churches. The purpose of this injunction was, to throw a restraint on the catholic divines; while the protestant, by the grant of particular licenses, should be allowed unbounded liberty.

Bonner made some opposition to these measures; but, soon after, retracted and acquiesced. Gardiner was more high spirited, and more steady. He represented the peril of perpetual innovations, and the necessity of adhering to some system. "'Tis a dangerous thing," said he, "to use too much freedom, in

<sup>1</sup> Collier, vol. ii. p. 228. Fox, vol. ii. <sup>2</sup> Mem. Cranm. p. 146, 147, &c.  
<sup>3</sup> Burnet, vol. ii, p. 28.



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"researches of this kind. If you cut the old canal, the water is apt to run farther than you have a mind to. If you indulge the humour of novelty, you cannot put a stop to people's demands, nor govern their indiscretions at pleasure." "For my part," said he, on another occasion, "my sole concern is, to manage the third and last act of my life with decency, and to make a handsome exit off the stage. Provided this point is secured, I am not solicitous about the rest. I am already, by nature, condemned to death: no man can give me a pardon from this sentence; nor so much as procure me a reprieve. To speak my mind, and to act as my conscience directs, are two branches of liberty, which I can never part with. Sincerity in speech, and integrity in action, are entertaining qualities: they will stick by a man when every thing else takes its leave: and I must not resign them upon any consideration. The best on it is, if I do not throw them away myself, no man can force them from me: but if I give them up, then I am ruined by myself, and deserve to lose all my preferments."<sup>1</sup> This opposition of Gardiner drew on him the indignation of the council; and he was sent to the Fleet, where he was used with some severity.

One of the chief objections urged by Gardiner, against the new homilies, was, that they defined with the most metaphysical precision the doctrines of grace and of justification by faith; points, he thought, which it was superfluous for any man to know exactly, and which certainly much exceeded the comprehension of the vulgar. A famous matyrologist calls Gardiner, on account of this opinion, "an insensible ass, and one that had no feeling of God's spirit, in the matter of justification."<sup>2</sup> The meanest protestant imagined, at that time, that he had a full comprehension of all those mysterious doctrines; and he heartily despised the most learned and knowing person of the ancient religion, who acknowledged his ignorance with regard to them. It is indeed certain that the reformers were very fortunate in their doctrine of justification, and might venture to foretel its success in opposition to all the ceremonies, shows, and superstitions of popery. By exalting Christ and his sufferings, and renouncing all claim to independent merit in ourselves, it was calculated to become popular, and coincided with those principles of panegyric and of self-abasement which generally have place in religion.

Tonstal, bishop of Durham, having, as well as Gardiner, made some opposition to the new regulations, was dismissed the council; but no farther severity was, for the present, exercised against him. He was a man of great moderation, and of the most unexceptional character in the kingdom.

The same religious zeal, which engaged Somerset to promote Foreign the reformation at home, led him to carry his attention to foreign affairs.

<sup>1</sup> Collier, vol. ii. p. 228, ex MS. Col. C. C. Cantab. Bibliotheca Britannica, Article GARDINER. <sup>2</sup> Fox, vol. ii.

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countries; where the interests of the protestants were now exposed to the most imminent danger. The Roman pontiff, with much reluctance, and after long delays, had at last summoned a general council, which was assembled at Trent; and was employed, both in correcting the abuses of the church, and in ascertaining her doctrines. The emperor, who desired to repress the power of the court of Rome, as well as gain over the protestants, promoted the former object of the council; the pope, who found his own greatness so deeply interested, desired rather to employ them in the latter. He gave instructions to his legates, who presided in the council, to protract the debates, and to engage the theologians in argument, and altercation, and dispute, concerning the nice points of faith, canvassed before them; a policy so easy to be executed, that the legates soon found it rather necessary to interpose, in order to appease the animosity of the divines, and bring them at last to some decision.<sup>1</sup> The more difficult task for the legates was, to moderate or divert the zeal of the council for reformation, and to repress the ambition of the prelates who desired to exalt the episcopal authority on the ruins of the sovereign pontiff. Finding this humour become prevalent, the legates, on pretence that the plague had broken out at Trent, transferred, of a sudden, the council to Bologna, where they hoped it would be more under the direction of his holiness.

The emperor, no less than the pope, had learned to make religion subservient to his ambition and policy. He was resolved to employ the imputation of heresy, as a pretence for subduing the protestant princes, and oppressing the liberties of Germany; but found it necessary to cover his intentions under deep artifice, and to prevent the combination of his adversaries. He separated the palatine and the elector of Brandenburg from the protestant confederacy: he took arms against the elector of Saxony and the landgrave of Hesse: by the fortune of war, he made the former prisoner: he employed treachery and prevarication against the latter, and detained him captive, by breaking a safe-conduct, which he had granted him. He seemed to have reached the summit of his ambition; and the German princes, who were astonished with his success, were farther discouraged by the intelligence which they had received of the death, first of Henry VIII. then of Francis I. their usual resources in every calamity.<sup>2</sup>

Henry II. who succeeded to the crown of France, was a prince of vigour and abilities; but less hasty in his resolution than Francis, and less inflamed with rivalry and animosity against the emperor Charles. Though he sent ambassadors to the princes of the Smalcaldic league, and promised them protection, he was unwilling, in the commencement of his reign, to hurry into a war with so great a power as that of the em-

<sup>1</sup> Father Paul, lib. 2.    <sup>2</sup> Sleidan.

peror; and he thought that the alliance of those princes was a sure resource, which he could at any time lay hold of.<sup>1</sup> He was much governed by the duke of Guise and the cardinal of Lorraine; and he hearkened to their council, in choosing rather to give immediate assistance to Scotland, his ancient ally, which, even before the death of Henry VIII. had loudly claimed the protection of the French monarchy.

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The hatred between the two factions, the partisans of the ancient and those of the new religion, became every day more violent in Scotland; and the resolution which the cardinal primate had taken, to employ the most rigorous punishments against the reformers, brought matters to a quick decision. There was one Wishart, a gentleman by birth, who employed himself with great zeal in preaching against the ancient superstitions, and began to give alarm to the clergy, who were justly terrified with the danger of some fatal revolution in religion. This man was celebrated for the purity of his morals, and for his extensive learning: but these praises cannot be much depended on; because we know that, among the reformers, severity of manners supplied the place of many virtues: and the age was in general so ignorant, that most of the priests in Scotland imagined the New Testament to be a composition of Luther's, and asserted that the Old, alone, was the word of God.\* But, however the case may have stood, with regard to those estimable qualities ascribed to Wishart, he was strongly possessed with the desire of innovation; and he enjoyed those talents which qualified him for becoming a popular preacher, and for seizing the attention and affections of the multitude. The magistrates of Dundee, where he exercised his mission, were alarmed with his progress; and being unable or unwilling to treat him with rigour, they contented themselves with denying him the liberty of preaching, and with dismissing him the bounds of their jurisdiction. Wishart, moved with indignation that they had dared to reject him, together with the word of God, menaced them, in imitation of the ancient prophets, with some imminent calamity; and he withdrew to the west country, where he daily increased the number of his proselytes. Meanwhile, a plague broke out in Dundee; and all men exclaimed, that the town had drawn down the vengeance of Heaven, by banishing the pious preacher, and that the pestilence would never cease, till they had made him atonement for their offence against him. No sooner did Wishart hear of this change in their disposition than he returned to them, and made them a new tender of his doctrine: but, lest he should spread the contagion, by bringing multitudes together, he erected his pulpit on the top of a gate: the infected stood within, the others without. And the preacher failed not, in such a situation, to take advantage of the immediate terrors of the people, and to enforce his evangelical mission.<sup>2</sup>

Progress  
of the re-  
formation  
in Scot-  
land.

<sup>1</sup> Père Daniel. \* See note [D 2] at the end of the volume. <sup>2</sup> Knox's Hist. of Ref. p. 44. Spotswood.



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The assiduity and success of Wishart became an object of attention to cardinal Beaton; and he resolved, by the punishment of so celebrated a preacher, to strike a terror into all other innovators. He engaged the earl of Bothwell to arrest him, and to deliver him into his hands, contrary to a promise given by Bothwell to that unhappy man: and being possessed of his prey, he conducted him to St. Andrews, where, after a trial, he condemned him to the flames for heresy. Arran, the governor, was irresolute in his temper; and the cardinal, though he had gained him over to his party, found that he would not concur in the condemnation and execution of Wishart. He determined, therefore, without the assistance of the secular arm, to bring that heretic to punishment; and he himself beheld, from his window, the dismal spectacle. Wishart suffered with the usual patience; but could not forbear remarking the triumph of his insulting enemy. He foretold, that in a few days, he should, in the very same place, lie as low as now he was exalted aloft, in opposition to true piety and religion.<sup>1</sup>

Assassina-  
tion of  
cardinal  
Beaton.

This prophecy was probably the immediate cause of the event which it foretold. The disciples of this martyr, enraged at the cruel execution, formed a conspiracy against the cardinal; and having associated to them Norman Lesly, who was disgusted, on account of some private quarrel, they conducted their enterprise with great secrecy and success. Early in the morning, they entered the cardinal's palace, which he had strongly fortified; and though they were not above sixteen persons, they thrust out a hundred tradesmen and fifty servants, whom they seized separately, before any suspicion arose of their intentions; and having shut the gates, they proceeded very deliberately to execute their purpose on the cardinal. That prelate had been alarmed with the noise which he heard in the castle, and had barricadoed the door of his Chamber: but finding that they had brought fire, in order to force their way, and having obtained, as is believed, a promise of life, he opened the door; and reminding them that he was a priest, he conjured them to spare him. Two of the assassins rushed upon him, with drawn swords; but a third, James Melvil, more calm, and more considerate in villany, stopped their career, and bade them reflect, that this work was the work and judgment of God, and ought to be executed with becoming deliberation and gravity. Then turning the point of his sword towards Beaton, he called to him, "Repent thee, thou wicked cardinal, of all thy sins and iniquities, especially of the murder of Wishart, that instrument of God, for the conversion of these lands: it is his death which now cries vengeance upon thee: we are sent by God to inflict the deserved punishment. For here, before the Almighty, I protest, that it is neither hatred of thy person, nor love of thy riches, nor fear of thy power, which

<sup>1</sup> Spotswood. Buchanan.



"moves me to seek thy death : but, only, because thou hast been, and still remainest, an obstinate enemy to Christ Jesus, and his holy gospel." Having spoken these words, without giving Beaton time to finish that repentance to which he exhorted him, he thrust him through the body ; and the cardinal fell dead at his feet.<sup>1</sup> This murder was executed on the 28th of May, 1546. The assassins, being reinforced by their friends, to the number of a hundred and forty persons, prepared themselves for the defence of the castle, and sent a messenger to London, craving assistance from Henry. That prince, though Scotland was comprehended in his peace with France, would not forego the opportunity of disturbing the government of a rival kingdom ; and he promised to take them under his protection.

It was the peculiar misfortune of Scotland, that five short reigns had been successively followed by as many long minorities ; and the execution of justice, which the prince was beginning to introduce, had been continually interrupted, by the cabals, factions and animosities of the great. But, besides these inveterate and ancient evils, a new source of disorder had arisen, the disputes and contentions of theology, which were sufficient to disturb the most settled government ; and the death of the cardinal, who was possessed of abilities and vigour, seemed much to weaken the hands of the administration. But the queen dowager was a woman of uncommon talents and virtue ; and she did as much to support the government, and supply the weakness of Arran, the governor, as could be expected, in her situation.

The protector of England, as soon as the state was brought to some composure, made preparations for war with Scotland ; and he was determined to execute, if possible, that project of uniting the two kingdoms, by marriage, on which the late king had been so intent, and which he had recommended with his dying breath to his executors. He levied an army of eighteen thousand men, and equipped a fleet of sixty sail, one half of which were ships of war, the other laden with provisions and ammunition. He gave the command of the fleet to lord Clinton : he himself marched at the head of the army, attended by the earl of Warwick. These hostile measures were covered with a pretence of revenging some depredations committed by the borderers ; but, besides that Somerset revived the ancient claim of the superiority

Conduct  
of the war  
with Scot-  
land.

<sup>1</sup> The famous Scotch reformer, John Knox, calls James Melvil, p. 65, a man most gentle and most modest. It is very horrid, but, at the same time somewhat amusing, to consider the joy, and alacrity, and pleasure, which that historian discovers in his narrative of this assassination ; and it is remarkable, that in the first edition of his work, these words were printed on the margin of the page, *The godly Fact and Works of James Melvil*. But the following editors retrenched them. Knox himself had no hand in the murder of Beaton ; but he afterwards joined the assassins, and assisted them in holding out the castle. See Keith's Hist. of the Ref. of Scotland, p. 43.

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of the English crown over that of Scotland, he refused to enter into negotiation on any other condition than the marriage of the young queen with Edward.

The protector, before he opened the campaign, published a manifesto, in which he enforced all the arguments for that measure. He said that nature seemed originally to have intended this island for one empire; and having cut it off from all communication with foreign states, and guarded it by the ocean, she had pointed to the inhabitants the road to happiness and to security: that the education and customs of the people concurred with nature; and, by giving them the same language, and laws, and manners, had invited them to a thorough union and coalition: that fortune had, at last, removed all obstacles, and had prepared an expedient, by which they might become one people, without leaving any place for that jealousy, either of honour or of interest, to which rival nations are naturally exposed: that the crown of Scotland had devolved on a female; that of England on a male; and, happily, the two sovereigns, as of a rank, were also of an age the most suitable to each other: that the hostile dispositions, which prevailed between the nations, and which arose from past injuries, would soon be extinguished, after a long and secure peace had established confidence between them: that the memory of former miseries, which, at present, inflamed their mutual animosity, would then serve only to make them cherish, with more passion, a state of happiness and tranquillity, so long unknown to their ancestors: that, when hostilities had ceased between the kingdoms, the Scottish nobility, who were at present obliged to remain perpetually in a warlike posture, would learn to cultivate the arts of peace, and would soften their minds to a love of domestic order and obedience: that, as this situation was desirable to both kingdoms, so particularly to Scotland, which had been exposed to the greatest miseries, from intestine and foreign wars, and saw herself every moment in danger of losing her independency, by the efforts of a richer and more powerful people: that, though England had claims of superiority, she was willing to resign every pretension, for the sake of future peace, and desired an union, which would be the more secure, as it would be concluded on terms entirely equal: and that, besides all these motives, positive engagements had been taken for completing this alliance; and the honour and good faith of the nation were pledged to fulfil what her interest and safety so loudly demanded.<sup>1</sup>

Somerset soon perceived that these remonstrances would have no influence; and that the queen dowager's attachment to France, and to the catholic religion, would render ineffectual all negotiations for the intended marriage. He found himself, therefore, obliged to try the force of arms, and to constrain

<sup>1</sup> Sir John Haywood, in Kennet, p. 279. Heylin, p. 42.

the Scots, by necessity, to submit to a measure, for which they seemed to have entertained the most incurable aversion. He passed the borders, at Berwick, and advanced towards Edinburgh, without meeting any resistance, for some days, except from some small castles, which he obliged to surrender at discretion. The protector intended to have punished the governor and garrison of one of these castles, for their temerity, in resisting such unequal force: but they eluded his anger, by asking only a few hours respite, till they should prepare themselves for death; after which, they found his ears more open to their applications for mercy.<sup>1</sup>

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2d Sept.

The governor of Scotland had summoned together the whole force of the kingdom; and his army, double in number to that of the English, had taken post on advantageous ground, guarded by the banks of the Eske, about four miles from Edinburgh. The English came within sight of them, at Faside; and, after a skirmish between the horse, where the Scots were worsted, and lord Hume dangerously wounded, Somerset prepared himself for a more decisive action. But, having taken a view of the Scottish camp, with the earl of Warwick, he found it difficult to make an attempt upon it, with any probability of success. He wrote, therefore, another letter to Arran; and offered to evacuate the kingdom, as well as to repair all the damages which he had committed, provided the Scots would stipulate not to contract the queen to any foreign prince, but to detain her at home, till she reached the age of choosing a husband for herself. So moderate a demand was rejected by the Scots, merely on account of its moderation: and it made them imagine that the protector must either be reduced to great distress, or be influenced by fear, that he was now contented to abate so much of his former pretensions. Inflamed, also, by their priests, who had come to the camp in great numbers, they believed that the English were detestable heretics, abhorred of God, and exposed to divine vengeance, and that no success could ever crown their arms. They were confirmed in this fond conceit, when they saw the protector change his ground, and move towards the sea; nor did they any longer doubt, that he intended to embark his army, and make his escape on board the ships, which, at that very time, moved into the bay, opposite to him.<sup>2</sup> Determined, therefore, to cut off his retreat, they quitted their camp; and, passing the river Eske, advanced into the plain. They were divided into three bodies: Angus com- 10th Sept. manded the van guard; Arran the main body; Huntley the rear: their cavalry consisted only of light-horse, which were placed on their left flank, strengthened by some Irish archers, whom Argyle had brought over for this service.

Somerset was much pleased when he saw this movement of the Scottish army; and, as the English had usually been superior in pitched battles, he conceived great hopes of success. He

<sup>1</sup> Haywood. Patten.    <sup>2</sup> Holingshed, p. 985.



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Pinky.

ranged his van on the left, farthest from the sea; and ordered them to remain on the high grounds, on which he placed them, till the enemy should approach: he placed his main battle and his rear towards the right; and, beyond the van, he posted lord Grey, at the head of the men at arms, and ordered him to take the Scottish van in flank, but not till they should be engaged in close fight with the van of the English.

While the Scots were advancing on the plain, they were galled with the artillery, from the English ships; the eldest son of lord Graham was killed: the Irish archers were thrown into disorder; and even the other troops began to stagger: when lord Grey, perceiving their situation, neglected his orders, left his ground, and, at the head of his heavy-armed horse, made an attack on the Scottish infantry, in hopes of gaining all the honour of the victory. On advancing, he found a slough and ditch in his way; and behind were ranged the enemy, armed with spears, and the field on which they stood was fallow ground, broken with ridges, which lay across their front, and disordered the movements of the English cavalry. From all these accidents, the shock of this body of horse was feeble and irregular; and, as they were received on the points of the Scottish spears, which were longer than the lances of the English horsemen, they were, in a moment, pierced, overthrown, and discomfited. Grey himself was dangerously wounded: lord Edward Seymour, son of the protector, had his horse killed under him: the standard was near being taken: and, had the Scots possessed any good body of cavalry, who could have pursued the advantage, the whole English army had been exposed to great danger.<sup>1</sup>

The protector, meanwhile, assisted by Sir Ralph Sadler, and Sir Ralph Vane, employed himself with diligence and success in rallying the cavalry. Warwick showed great presence of mind, in maintaining the ranks of the foot, on which the horse had recoiled: he made Sir Peter Meutas advance, captain of the foot, harquebusiers, and Sir Peter Gamboa, captain of some Italian and Spanish harquebusiers, on horseback; and ordered them to ply the Scottish infantry with their shot. They marched the slough, and discharged their pieces, full in the face of the enemy: the ships galled them from the flank; the artillery, planted on a height, infested them from the front; the English archers poured in a shower of arrows upon them: and the vanguard, descending from the hill, advanced, leisurely and in good order, towards them. Dismayed with all these circumstances, the Scottish van began to retreat: the retreat soon changed into a flight, which was begun by the Irish archers. The panic of the van communicated itself to the main body, and, passing thence to the rear, rendered the whole field a scene of confusion, terror, flight and consternation. The English army perceived, from the heights, the condition of the Scots, and began the pursuit with loud shouts and

<sup>1</sup> Patten. Holingshed, p. 985



acclamations which added still more to the dismay of the vanquished. The horse in particular, eager to revenge the affront which they had received in the beginning of the day, did the most bloody execution on the flying enemy; and, from the field of battle to Edinburgh, for the space of five miles, the whole ground was strewed with dead bodies. The priests above all, and the monks, received no quarter; and the English made sport of slaughtering men, who, from their extreme zeal and animosity had engaged in an enterprise so ill befitting their profession. Few victories have been more decisive, or gained with smaller loss to the conquerors. There fell not two hundred of the English; and, according to the most moderate computation, there perished above ten thousand of the Scots. About fifteen hundred were taken prisoners. This action was called the battle of Pinkie, from a nobleman's seat of that name in the neighbourhood.

The queen dowager and Arran fled to Stirling, and were scarcely able to collect such a body of forces, as could check the incursions of small parties of the English. About the same time the earl of Lenox and lord Wharton entered the west marches, at the head of five thousand men; and after taking and plundering Annan, they spread devastation over all the neighbouring counties.<sup>1</sup> Had Somerset prosecuted his advantages, he might have imposed what terms he pleased on the Scottish nation: but he was impatient to return to England, where he heard some counsellors, and even his own brother, the admiral, were carrying on cabals against his authority. Having taken the castles of Hume, Dunglass, Eymouth, Fastcastle, Roxborough, and some other small places, and having received the submission of some counties on the borders, he retired from Scotland. The fleet, besides destroying all the shipping along the coast, took Broughty, in the Frith of Tay; and having fortified it, they there left a garrison. Arran desired leave to send commissioners, in order to treat of a peace; and Somerset, having appointed Berwick for the place of conference, left Warwick with full powers to negotiate: but no commissioners from Scotland ever appeared. The overture of the Scots was an artifice to gain time, till succours should arrive from France.

The protector, on his arrival in England, summoned a parliament: and being somewhat elated with his success against the Scots, he procured from his nephew a patent, appointing him to sit on the throne upon a stool, or bench, at the right hand of the king, and to enjoy the same honours and privileges that had usually been possessed by any prince of the blood, or uncle of the kings of England. In this patent the king employed his dispensing power, by setting aside the statute of precedency, enacted during the former reign.<sup>2</sup> But, if Somerset gave offence by assuming too much state, he deserves great praise on account

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4th Nov.  
A parliament.

<sup>1</sup> Holingshed, p. 992.      <sup>2</sup> Rymer, vol. xv. p. 164.

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of the laws passed this session, by which the rigour of former statutes was much mitigated, and some security given to the freedom of the constitution. All laws were repealed, which extended the crime of treason beyond the statute of the twenty-fifth of Edward III.;<sup>1</sup> all laws, enacted during the late reign, extending the crime of felony; all the former laws against Lollardy or heresy, together with the statute of the six articles. None were to be accused for words, but within a month after they were spoken. By these repeals, several of the most rigorous laws that ever had passed in England were annulled; and some dawn, both of civil and religious liberty, began to appear to the people. Heresy, however, was still a capital crime, by the common law, and was subjected to the penalty of burning. Only there remained no precise standard, by which that crime could be defined or determined; a circumstance, which might either be advantageous or hurtful to public security, according to the disposition of the judges.

A repeal also passed of that law, the destruction of all laws, by which the king's proclamation was made of equal force with a statute.<sup>2</sup> That other law likewise was mitigated, by which the king was empowered to annul every statute, passed before the four-and-twentieth year of his age: he could prevent their future execution; but could not recal any past effects which had ensued from them.<sup>3</sup>

It was also enacted, that all who denied the king's supremacy, or asserted the pope's, should, for the first offence, forfeit their goods and chattels, and suffer imprisonment, during pleasure: for the second offence, should incur the penalty of a *præmunire*; and, for the third be attainted of treason. But if any, after the first of March ensuing, endeavoured by writing, printing, or any overt act or deed, to deprive the king of his estate or titles, particularly of his supremacy, or to confer them on any other, he was to be adjudged guilty of treason. If any of the heirs of the crown should usurp upon another, or endeavour to break the order of succession, it was declared treason in them, their aiders and abettors. These were the most considerable acts passed during this session. The members in general discovered a very passive disposition, with regard to religion: some few appeared zealous for the reformation: others secretly harboured a strong propensity to the catholic faith: but the greater part appeared willing to take any impression which they should receive from interest, authority, or the reigning fashion.<sup>4</sup>

The convocation met at the same time with the parliament; and as it was found that their debates were at first cramped by the rigorous statute of the six articles, the king granted them a dispensation from that law before it was repealed by parliament.<sup>5</sup> The lower house of convocation applied to have liberty

<sup>1</sup> 1 Edw. VI. c. 12.  
Britan. p. 339.

<sup>2</sup> Ibid. c. 2.

<sup>3</sup> Ibid.

<sup>4</sup> Heylin, p. 48.

<sup>5</sup> Antiq.

of sitting with the commons in parliament, or, if this privilege were refused them, which they claimed as their ancient right, they desired that no law, regarding religion, might pass in parliament without their consent and approbation. But the principles, which now prevailed, were more favourable to the civil, than to the ecclesiastical power, and this demand of the convocation was rejected.

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The protector had assented to the repeal of that law, which gave to the king's proclamations the authority of statutes; but he did not intend to renounce that arbitrary or discretionary exercise of power, in issuing proclamations, which had ever been assumed by the crown, and which it is difficult to distinguish, exactly, from a full legislative power. He even continued to exert his authority in some particulars, which were then regarded as the most momentous. Orders were issued, by council, that candles should no longer be carried about on Candlesmasday, ashes on Ash Wednesday, palms on Palm Sunday.<sup>1</sup> These were ancient religious practices, now termed superstitions; though it is fortunate for mankind when superstition happens to take a direction so innocent and inoffensive. The severe disposition, which naturally attends all reformers, prompted, likewise, the council to abolish some gay and showy ceremonies, which belonged to the ancient religion.<sup>2</sup>

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Farther  
progress  
of the re-  
formation.

An order was, also, issued by council, for the removal of all images from the churches: an innovation which was much desired by the reformers, and which alone, with regard to the populace, amounted almost to a total change of the established religion.<sup>3</sup> An attempt had been made to separate the use of images from their abuse, the reverence from the worship of them; but the execution of this design was found, upon trial, very difficult, if not wholly impracticable.

As private masses were abolished, by law, it became necessary to compose a new communion service; and the council went so far in the preface, which they prefixed to this work, as to leave the practice of auricular confession wholly indifferent.<sup>4</sup> This was a prelude to the entire abolition of that invention, one of the most powerful engines that ever was contrived for degrading the laity, and giving their spiritual guides an entire ascendant over them. And it may justly be said, that though the priest's absolution, which attends confession, serves somewhat to ease weak minds from the immediate agonies of superstitious terror, it operates only by enforcing superstition itself, and thereby preparing the mind for a more violent relapse into the same disorders.

The people were, at that time, extremely distracted by the opposite opinions of their preachers; and, as they were totally unable to judge of the reasons advanced, on either side, and na-

<sup>1</sup> Burnet, vol. ii. p. 59. Collier, vol. ii. p. 241. Heylin, p. 55. <sup>2</sup> Burnet, vol. ii. <sup>3</sup> Burnet, vol. ii. p. 60. Collier, vol. ii. p. 241. Heylin, p. 55. <sup>4</sup> Burnet, vol. ii.



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turally regarded every thing which they heard, at church, as of equal authority, a great confusion and fluctuation resulted from this uncertainty. The council had first endeavoured to remedy the inconvenience, by laying some restraints on preaching; but finding this expedient ineffectual, they imposed a total silence on the preachers, and thereby put an end at once to all the polemics of the pulpit.<sup>1</sup> By the nature of things, this restraint could only be temporary. For, in proportion as the ceremonies of public worship, its shows and exterior observances, were retrenched by the reformers, the people were inclined to contract a stronger attachment to sermons, whence, alone, they received any occupation or amusement. The ancient religion, by giving its votaries something to do, freed them from the trouble of thinking: sermons were delivered only in the principal churches, and at some particular fasts and festivals: and the practice of haranguing the populace, which, if abused, is so powerful an incitement to faction and sedition, had much less scope and influence during those ages.

Affairs of  
Scotland.

The greater progress was made towards a reformation, in England, the farther did the protector find himself from all prospect of completing the union with Scotland; and the queen dowager, as well as the clergy, became the more averse to all alliance with a nation, which had so far departed from all ancient principles. Somerset, having taken the town of Haddington, had ordered it to be strongly garrisoned and fortified by lord Gray: he also erected some fortifications at Lauder: and he hoped that these two places, together with Broughty, and some smaller fortresses, which were in the hands of the English, would serve as a curb on Scotland, and would give him access into the heart of the country.

Arran, being disappointed in some attempts on Broughty, relied chiefly on the succours expected from France, for the recovery of these places; and they arrived, at last, in the Frith, to the number of six thousand men; half of them Germans. They were commanded by Desse, and, under him, by Anelot, Strozzi, Meilleraye and count Rhingrave. The Scots were, at that time, so sunk by their misfortunes, that five hundred English horse were able to ravage the whole country, without resistance, and make inroads to the gates of the capital:<sup>2</sup> but, on the appearance of the French succours, they collected more courage; and, having joined Desse, with a considerable reinforcement, they laid siege to Haddington.<sup>3</sup> This was an undertaking, for which they were, by themselves, totally unfit; and, even with the assistance of the French, they placed their chief hopes of success in starving the garrison. After some vain attempts to take the place, by a regular siege, the blockade was formed, and the garrison was repulsed, with loss, in several sallies, which they made upon the besiegers.

<sup>1</sup> Fuller, Heylin, Burnet. <sup>2</sup> Beague, *Hist. of the Campagnes*, 1548, and 1549, p. 6. <sup>3</sup> Holingshed, p. 993.



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The hostile attempts, which the late king and the protector had made against Scotland, not being steady, regular, nor pushed to the last extremity, had served only to irritate the nation, and to inspire them with the strongest aversion to that union, which was courted in so violent a manner. Even those who were inclined to the English alliance were displeased to have it imposed on them by force of arms; and the earl of Huntley, in particular, said pleasantly, that he disliked not the match, but he hated the manner of wooing.<sup>1</sup> The queen dowager, finding these sentiments to prevail, called a parliament, in an abbey, near Haddington; and it was there proposed, that the young queen, for her greater security, should be sent to France, and be committed to the custody of that ancient ally. Some objected, that this measure was desperate; allowed no resource in case of miscarriage; exposed the Scots to be subjected by foreigners; involved them in perpetual war with England; and left them no expedient, by which they could conciliate the friendship of that powerful nation. It was answered, on the other hand, that the queen's presence was the very cause of war with England; that that nation would desist, when they found that their views of forcing a marriage had become altogether impracticable; and that Henry, being engaged by so high a mark of confidence, would take their sovereign under his protection, and use his utmost efforts to defend the kingdom. These arguments were aided by French gold, which was plentifully distributed among the nobles. The governor had a pension conferred on him, of twelve thousand livres a year, received the title of duke of Chatelrault, and obtained for his son the command of a hundred men at arms.<sup>2</sup> And as the clergy dreaded the consequence of the English alliance, they seconded this measure, with all the zeal and industry which either principle or interest could inspire. It was accordingly determined to send the queen to France; and what was understood to be the necessary consequence, to marry her to the dauphin. Villegaignon, commander of four French gallies, lying in the Frith of Forth, set sail, as if he intended to return home; but when he reached the open sea, he turned northwards, passed by the Orkneys, and came in on the west coast, at Dunbarton: an extraordinary voyage for ships of that fabric.<sup>3</sup> The young queen was there committed to him; and being attended by the lords Areskine and Livingstone, she put to sea: and after meeting with some tempestuous weather, arrived safely at Brest, whence she was conducted to Paris; and soon after, she was betrothed to the dauphin.

Young  
queen of  
Scots sent  
into  
France.

Somerset, pressed by many difficulties at home, and despairing of success in his enterprise against Scotland, was desirous of composing the differences with that kingdom; and he offered

<sup>1</sup> Heylin, p. 46. Patten. <sup>2</sup> Burnet, vol. ii. p. 83. Buchanan, lib. xv. Keith, p. 55. Thuanus, lib. v. c. 15. <sup>3</sup> Thuanus, lib. v. c. 15.

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the Scots a ten years' truce; but as they insisted on his restoring all the places which he had taken, the proposal came to nothing. The Scots recovered the fortresses of Hume and Fast-castle by surprise, and put the garrisons to the sword: they repulsed with loss the English, who, under the command of lord Seymour, made a descent, first in Fife, then at Montrose: in the former action, James Stuart, natural brother to the queen, acquired honour; in the latter, Areskine of Dun. An attempt was made by Sir Robert Bowes and Sir Thomas Palmer, at the head of a considerable body, to throw relief into Haddington; but these troops falling into an ambuscade, were almost wholly cut in pieces.<sup>1</sup> And though a small body of two hundred men escaped all the vigilance of the French, and arrived safely in Haddington, with some ammunition and provisions, the garrison was reduced to such difficulties, that the protector found it necessary to provide more effectually for their relief. He raised an army of eighteen thousand men, and adding three thousand Germans, who, on the dissolution of the protestant alliance, had offered their service to England, he gave the command of the whole to the earl of Shrewsbury.<sup>2</sup> Desse raised the blockade on the approach of the English; and, with great difficulty, made good his retreat to Edinburgh, where he posted himself advantageously. Shrewsbury, who had lost the opportunity of attacking him on his march, durst not give him battle in his present situation; and contenting himself with the advantage already gained, of supplying Haddington, he retired into England.

Cabals of  
lord Sey-  
mour.

Though the protection of France was of great consequence to the Scots, in supporting them against the invasions of England, they reaped still more benefit from the distractions and divisions, which had crept into the councils of this latter kingdom. Even the two brothers, the protector and admiral, not content with the high stations which they severally enjoyed, and the great eminence to which they had arisen, had entertained the most violent jealousy of each other; and they divided the whole court and kingdom, by their opposite cabals and pretensions. Lord Seymour was a man of insatiable ambition; arrogant, assuming, implacable; and, though esteemed of superior capacity to the protector, he possessed not, to the same degree, the confidence and regard of the people. By his flattery and address, he had so insinuated himself into the good graces of the queen dowager, that forgetting her usual prudence and decency, she married him immediately upon the demise of the late king. Insomuch, that had she soon proved pregnant, it might have been doubtful to which husband the child belonged. The credit and riches of this alliance supported the ambition of the admiral, but gave umbrage to the dutchess of Somerset, who, uneasy that the younger brother's wife should have the

<sup>1</sup> Stowe, p. 595. Holingshed, p. 994. <sup>2</sup> Hayward, p. 291.

precedency, employed all her credit with her husband, which was too great, first to create, then to widen the breach between the two brothers.<sup>1</sup>

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The first symptoms of this misunderstanding appeared, when the protector commanded the army in Scotland. Secretary Paget, a man devoted to Somerset, remarked, that Seymour was forming separate intrigues among the counsellors; was corrupting by presents the king's servants; and even endeavouring, by improper indulgences and liberalities, to captivate the affections of the young monarch. Paget represented to him the danger of this conduct; desired him to reflect on the numerous enemies whom the sudden elevation of their family had created; and warned him, that any dissension between him and the protector would be greedily laid hold of, to effect the ruin of both. Finding his remonstrance neglected, he conveyed intelligence of the danger to Somerset, and engaged him to leave the enterprise upon Scotland unfinished, in order to guard against the attempts of his domestic enemies. In the ensuing parliament, the admiral's projects appeared still more dangerous to public tranquillity; and, as he had acquired many partisans, he made a direct attack upon his brother's authority. He represented to his friends, that formerly, during a minority, the office of protector of the kingdom had been kept separate from that of governor of the king's person; and that the present union of these two important trusts conferred on Somerset an authority, which could not safely be lodged in any subject.<sup>2</sup> The young king was even prevailed on to write a letter to the parliament, desiring that Seymour might be appointed his governor; and that nobleman had formed a party, in the two houses, by which he hoped to effect his purpose. The design was discovered, before its execution; and some common friends were sent, to remonstrate with him; but had so little influence, that he threw out many menacing expressions, and rashly threatened, that if he were thwarted in his attempt, he would make this parliament the blackest that ever sat in England.<sup>3</sup> The council sent for him, to answer for his conduct; but he refused to attend: they then began to threaten, in their turn, and informed him, that the king's letter, instead of availing him any thing, to the execution of his views, would be imputed to him as a criminal enterprise, and be construed as a design to disturb the government, by forming a separate interest with a child and minor. They even let fall some menaces of sending him to the Tower, for his temerity; and the admiral, finding himself prevented in his design, was obliged to submit, and to desire a reconciliation with his brother.

The mild and moderate temper of Somerset made him willing to forget these enterprises of the admiral; but the ambition

<sup>1</sup> Hayward, p. 301. Heylin, p. 72. Camden. Thuanus, lib. vi. c. 5. Haynes, p. 69. <sup>2</sup> Haynes, p. 82, 90. <sup>3</sup> Ibid, p. 75.



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of that turbulent spirit could not be so easily appeased. His spouse, the queen dowager, died in childbed; but, so far from regarding this event as a check to his aspiring views, he founded on it the scheme of a more extraordinary elevation. He made his addresses to the lady Elizabeth, then in the sixteenth year of her age: and that princess, whom even the hurry of business, and the pursuits of ambition, could not, in her more advanced years, disengage entirely from the tender passions, seems to have listened to the insinuations of a man, who possessed every talent proper to captivate the affections of the fair.<sup>1</sup> But as Henry VIII. had excluded his daughters from all hopes of succession, if they married without the consent of his executors, which Seymour could never hope to obtain, it was concluded, that he meant to effect his purpose by expedients still more rash and more criminal. All the other measures of the admiral tended to confirm this suspicion. He continued to attack, by presents, the fidelity of those who had more immediate access to the king's person: he endeavoured to seduce the young prince into his interests: he found means of holding a private correspondence with him; he openly decried his brother's administration; and asserted, that by enlisting Germans, and other foreigners, he intended to form a mercenary army, which might endanger the king's authority, and the liberty of the people: by promises and persuasion, he brought over to his party many of the principal nobility, and had extended his interest all over England: he neglected not even the most popular persons, of inferior rank; and had computed that he could, on occasion, muster an army of ten thousand men, composed of his servants, tenants and retainers:<sup>2</sup> he had already provided arms for their use; and having engaged in his interest Sir John Sharington, a corrupt man, master of the mint, at Bristol, he flattered himself that money would not be wanting. Somerset was well apprised of all these alarming circumstances, and endeavoured, by the most friendly expedients, by entreaty, reason, and even by heaping new favours upon the admiral, to make him desist from his dangerous counsels; but, finding all endeavours ineffectual, he began to think of more severe remedies. The earl of Warwick was an ill instrument between the brothers; and had formed the design, by inflaming the quarrel, to raise his own fortune on the ruins of both.

Dudley, earl of Warwick, was the son of that Dudley, minister to Henry VII. who having, by rapine, extortion, and perversions of law, incurred the hatred of the public, had been sacrificed to popular animosity, in the beginning of the subsequent reign. The late king, sensible of the iniquity, at least illegality of the sentence, had, afterwards, restored young Dudley's blood, by act of parliament; and finding him endowed with abilities.

<sup>1</sup> Haynes, p. 95, 96, 102, 108.    <sup>2</sup> Ibid. p. 105, 106.



industry and activity, he had intrusted him with many important commands, and had ever found him successful in his undertakings. He raised him to the dignity of viscount Lisle, conferred on him the office of admiral, and gave him, by his will, a place among his executors. Dudley made still farther progress during the minority; and having obtained the title of earl of Warwick, and undermined the credit of Southampton, he bore the chief rank among the protector's counsellors. The victory gained at Pinkey was much ascribed to his courage and conduct; and he was universally regarded as a man equally endowed with the talents of peace and of war. But all these virtues were obscured by still greater vices; an exorbitant ambition, an insatiable avarice, a neglect of decency, a contempt of justice: and as he found that lord Seymour, whose abilities and enterprising spirit he chiefly dreaded, was involving himself in ruin by his rash counsels, he was determined to push him on the precipice, and thereby remove the chief obstacle to his own projected greatness.

When Somerset found that the public peace was endangered by his brother's seditious, not to say rebellious schemes, he was the more easily persuaded by Warwick to employ the extent of royal authority against him; and after depriving him of the office of admiral, he signed a warrant for committing him to the Tower. Some of his accomplices were also taken into custody, and three privy counsellors being sent to examine them, made a report that they had met with very full and important discoveries. Yet still the protector suspended the blow, and showed a reluctance to ruin his brother. He offered to desist from the prosecution if Seymour would promise him a cordial reconciliation; and renouncing all ambitious hopes, be contented with a private life, and retire into the country. But as Seymour made no other answer to these friendly offers than menaces and defiance, he ordered a charge to be drawn up against him, consisting of thirty-three articles;<sup>1</sup> and the whole to be laid before the privy council. It is pretended that every particular was so incontestably proved, both by witnesses and his own handwriting, that there was no room for doubt; yet did the council think proper to go in a body to the Tower, in order more fully to examine the prisoner. He was not daunted by the appearance: he boldly demanded a fair trial; required to be confronted with the witnesses; desired that the charge might be left with him, in order to be considered; and refused to answer any interrogatories by which he might accuse himself.

It is apparent, that notwithstanding what is pretended, there must have been some deficiency in the evidence against Seymour, when such demands, founded on the plainest principles of law and equity, were absolutely rejected. We shall indeed conclude, if we carefully examine the charge, that many of the

<sup>1</sup> Burnet, vol. ii. Col. 31. 2 and 3 Edw. VI. c. 18.

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articles were general, and scarcely capable of any proof; many of them, if true, susceptible of a more favourable interpretation; and that, though, on the whole, Seymour appears to have been a dangerous subject, he had not advanced far in those treasonable projects imputed to him. The chief part of his actual guilt, seems to have consisted in some unwarrantable practices in the admiralty, by which pirates were protected, and illegal impositions laid upon the merchants.

A parlia-  
ment.  
4th Nov.

But the administration had, at that time, an easy instrument of vengeance, to wit, the parliament; and needed not to give themselves any concern with regard either to the guilt of the persons whom they prosecuted, or the evidence which could be produced against them. A session of parliament being held, it was resolved to proceed against Seymour by bill of attainder; and the young king being induced, after much solicitation, to give his consent to it, a considerable weight was put on his approbation. The matter was first laid before the upper house; and several peers rising up in their places, gave an account of what they knew concerning lord Seymour's conduct, and his criminal words or actions. These narratives were received as undoubted

1549.

Attainder  
of lord  
Seymour.

20th  
March.

His exe-  
cution.

evidence; and though the prisoner had formerly engaged many friends and partisans among the nobility, no one had either the courage or equity to move that he might be heard in his defence, that the testimony against him should be delivered in a legal manner, and that he should be confronted with the witnesses. A little more scruple was made in the house of commons; there were even some members who objected against the whole method of proceeding by bill of attainder, passed in absence; and insisted, that a formal trial should be given to every man, before his condemnation. But when a message was sent by the king, enjoining the house to proceed, and offering that the same narratives should be laid before them which had satisfied the peers, they were easily prevailed on to acquiesce.<sup>1</sup> The bill passed, in a full house. Near four hundred voted for it; not above nine or ten against it.<sup>2</sup> The sentence was soon after executed, and the prisoner was beheaded, on Towerhill. The warrant was signed by Somerset, who was exposed to much blame, on account of the violence of these proceedings. The attempts of the admiral seem, chiefly, to have been levelled against his brother's usurped authority; and though his ambitious, enterprising character, encouraged by a marriage with the lady Elizabeth, might have endangered the public tranquillity, the prudence of foreseeing evils, at such a distance, was deemed too great, and the remedy was plainly illegal. It could only be said, that this bill of attainder was somewhat more tolerable than the preceding ones, to which the nation had been inured; for here at least some shadow of evidence was produced.

Ecclesiastical  
affairs.

All the considerable business, transacted this session, besides

<sup>1</sup> 2 and 3 Edw. VI. c. 18.    <sup>2</sup> Burnet, vol. ii. p. 99.

the attainder of lord Seymour, regarded ecclesiastical affairs; which were now the chief object of attention throughout the nation. A committee of bishops and divines had been appointed, by the council, to compose a liturgy; and they had executed the work committed to them. They proceeded with moderation in this delicate undertaking: they retained as much of the ancient mass, as the principles of the reformers would permit: they indulged nothing of the spirit of contradiction, which so naturally takes place in all great innovations: and they flattered themselves, that they had established a service, in which every denomination of Christians might, without scruple, concur. The mass had always been celebrated in Latin; a practice which might have been deemed absurd, had it not been found useful to the clergy, by impressing the people with an idea of some mysterious, unknown virtue in those rites, and by checking all their pretensions to be familiarly acquainted with their religion. But, as the reformers pretended, in some few particulars, to encourage private judgment in the laity, the translation of the liturgy, as well as of the Scriptures, into the vulgar tongue, seemed more conformable to the genius of their sect; and this innovation, with the retrenching of prayers to saints, and of some superstitious ceremonies, was the chief difference between the old mass and the new liturgy. The parliament established this form of worship in all the churches, and ordained a uniformity to be observed in all the rites and ceremonies.<sup>1</sup>

There was another material act, which passed this session.—The former canons had established the celibacy of the clergy; and though this practice is usually ascribed to the policy of the court of Rome, who thought that the ecclesiastics would be more devoted to their spiritual head, and less dependent on the civil magistrate, when freed from the powerful tie of wives and children; yet was this institution much forwarded by the principles of superstition inherent in human nature. These principles had rendered the panegyrics on an inviolate chastity, so frequent among the ancient fathers, long before the establishment of celibacy. And even this parliament, though they enacted a law, permitting the marriage of priests, yet confess, in the preamble, “that it were better for priests, and the ministers of the church, to live chaste and without marriage, and it were much to be wished they would, of themselves, abstain.” The inconveniences which had arisen, from the compelling of chastity, and the prohibiting of marriage, are the reasons assigned for indulging a liberty in this particular.<sup>2</sup> The ideas of penance, also, were so much retained, in other particulars, that an act of parliament passed, forbidding the use of flesh meat, during Lent, and other times of abstinence.<sup>3</sup>

The principal tenets and practices of the catholic religion

<sup>1</sup> 2 & 3 Edw. VI. c. 1.    <sup>2</sup> 2 & 3 Edw. VI. cap. 21.    <sup>3</sup> 2 & 3 Edw. VI. cap. 19. See note [E2] at the end of the volume.



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were now abolished, and the reformation, such as it is enjoyed at present, was almost entirely completed in England. But the doctrine of the real presence, though tacitly condemned by the new communion service, and by the abolition of many ancient rites, still retained some hold on the minds of men; and it was the last doctrine of popery that was wholly abandoned by the people.<sup>1</sup> The great attachment of the late king to that tenet, might, in part, be the ground of this obstinacy; but the chief cause was, really, the extreme absurdity of the principle itself, and the profound veneration which, of course, it impressed on the imagination. The priests, likewise, were much inclined to favour an opinion, which attributed to them so miraculous a power; and the people, who believed that they participated of the very body and blood of their Saviour, were loth to renounce so extraordinary, and, as they imagined, so salutary a privilege. The general attachment to this dogma was so violent, that the Lutherans, notwithstanding their separation from Rome, had thought proper, under another name, still to retain it: and the catholic preachers in England, when restrained in all other particulars, could not forbear, on every occasion, inculcating that tenet. Bonner, for this offence, among others, had been tried by the council, had been deprived of his see, and had been committed to custody. Gardiner, also, who had recovered his liberty, appeared anew refractory to the authority, which established the late innovations; and he seemed willing to countenance that opinion, much favoured by all the English catholics, that the king was, indeed, supreme head of the church, but not the council, during a minority. Having declined to give full satisfaction, on this head, he was sent to the Tower, and threatened with farther effects of the council's displeasure.

These severities being exercised on men possessed of office and authority, seemed in that age a necessary policy, in order to enforce a uniformity in public worship and discipline: but there were other instances of persecution, derived from no origin but the bigotry of theologians; a malady which seems almost incurable. Though the protestant divines had ventured to renounce opinions, deemed certain, during many ages, they regarded, in their turn, the new system as so certain, that they would suffer no contradiction with regard to it; and they were ready to burn, in the same flames from which they themselves had so narrowly escaped, every one that had the assurance to differ from them. A commission, by act of council, was granted to the primate, and some others, to examine and search after all anabaptists, heretics, or contemners of the book of common prayer.<sup>2</sup> The commissioners were enjoined to reclaim them, if possible; to impose penance on them; and to give them absolution; or, if these criminals were obstinate, to excommunicate and imprison them, and to deliver them over the secular arm: and

<sup>1</sup> Burnet, vol ii. p. 164.    <sup>2</sup> Ibid. p. 3. Rymer, tom. xv. p. 181.



in the execution of this charge, they were not bound to observe the ordinary methods of trial; the forms of law were dispensed with; and if any statutes happened to interfere with the powers in the commission, they were overruled and abrogated by the council. Some tradesmen in London were brought before these commissioners, and were accused of maintaining, among other opinions, that a man regenerate could not sin; and that though the outward man might offend, the inward was incapable of all guilt. They were prevailed on to abjure, and were dismissed. But there was a woman, accused of heretical pravity, called Joan Bocher, or Joan of Kent, who was so pertinacious, that the commissioners could make no impression upon her. Her doctrine was, "that Christ was not truly incarnate of the Virgin, whose flesh, being the outward man, was sinfully begotten, and born in sin; and consequently, he could take none of it: but the word, by the consent of the inward man of the Virgin, was made flesh."<sup>1</sup> This opinion, it would seem, is not orthodox; and there was a necessity for delivering the woman to the flames, for maintaining it. But the young king, though in such tender years, had more sense than all his counsellors and preceptors; and he long refused to sign the warrant for her execution. Cranmer was employed to persuade him to compliance; and he said that there was a great difference between errors in other points of divinity, and those which were in direct contradiction to the Apostles' creed: these latter were impieties against God, which the prince, being God's deputy, ought to repress, in like manner as inferior magistrates were bound to punish offences against the king's person. Edward, overcome by importunity, at last submitted, though with tears in his eyes; and he told Cranmer, that if any wrong was done, the guilt should lie entirely on his head. The primate, after making a new effort to reclaim the woman from her errors, and finding her obstinate against all his arguments, at last committed her to the flames. Some time after, a Dutchman, called Van Paris, accused of the heresy which has received the name of Arianism, was condemned to the same punishment. He suffered with so much satisfaction, that he hugged and caressed the faggots that were consuming him; a species of frenzy, of which there is more than one instance among the martyrs of that age.<sup>2</sup>

These rigorous methods of proceeding soon brought the whole nation to a conformity, seeming or real, with the new doctrine and the new liturgy. The lady Mary alone continued to adhere to the mass, and refused to admit the established modes of worship. When pressed and menaced on this head, she applied to the emperor; who, using his interest with Sir Philip Hobby, the English ambassador, procured her a temporary connivance from the council.<sup>3</sup>

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<sup>1</sup> Burnet, vol. ii. col. 35. Strype's Mem. Cranm. p. 181. <sup>2</sup> Burnet, vol. ii. p. 112. Strype's Mem. Cranm. p. 181. <sup>3</sup> Heylin, p. 102.

## CHAPTER XXXV.

Discontents of the People—Insurrections—Conduct of the War with Scotland—with France—Factions in the Council—Conspiracy against Somerset—Somerset resigns the Protectorship—A Parliament—Peace with France and Scotland—Boulogne surrendered—Persecution of Gardiner—Warwick created duke of Northumberland—His ambition—Trial of Somerset—His Execution—A Parliament—A new Parliament—Succession changed—The King's Sickness—and Death.

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Discon-  
tents of  
the peo-  
ple.

THERE is no abuse so great in civil society, as not to be attended with a variety of beneficial consequences; and in the beginnings of reformation, the loss of these advantages is always felt very sensibly, while the benefit resulting from the change is the slow effect of time, and is seldom perceived by the bulk of a nation. Scarce any institution can be imagined, less favourable in the main to the interests of mankind, than that of monks and friars; yet was it followed by many good effects, which, having ceased by the suppression of monasteries, were much regretted by the people of England. The monks, always residing in their convents in the centre of their estates, spent their money in the provinces and among the tenants, afforded a ready market for commodities, were a sure resource to the poor and indigent; and though their hospitality and charity gave but too much encouragement to idleness, and prevented the increase of public riches, yet did it provide, to many, a relief from the extreme pressures of want and necessity. It is also observable, that as the friars were limited by the rules of their institution to a certain mode of living, they had not equal motives for extortion with other men; and they were acknowledged to have been, in England, as they still are in Roman catholic countries, the best and most indulgent landlords. The abbots and priors were permitted to give leases at an under value, and to receive in return a large present from the tenant; in the same manner as is still practised by the bishops and colleges. But when the abbey lands were distributed among the principal nobility and courtiers, they fell under a different management: the rents of farms were raised, while the tenants found not the same facility in disposing of the produce; the money was often spent in the capital; and the farmers living at a distance were exposed to oppression from their new masters, or to the still greater rapacity of the stewards.

These grievances of the common people were at that time heightened by other causes. The arts of manufacture were much more advanced in other European countries than in England; and even in England, these arts had made greater progress than the knowledge of agriculture; a profession which, of all mechanical employments, requires the most reflection and experience. A great demand arose for wool, both abroad and at home: pasturage was found more profitable than unskilful

tillage: whole estates were laid waste by enclosures: the tenants, regarded as a useless burden, were expelled their habitations: even the cottagers, deprived of the commons, on which they formerly fed their cattle, were reduced to misery: and a decay of people, as well as a diminution of the former plenty, was remarked in the kingdom.<sup>1</sup> This grievance was now of an old date; and Sir Thomas More, alluding to it, observes, in his *Utopia*, that a sheep had become, in England, a more ravenous animal than a lion or wolf, and devoured whole villages, cities and provinces.

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The general increase, also, of gold and silver, in Europe, after the discovery of the West Indies, had a tendency to inflame these complaints. The growing demand, in the more commercial countries, had heightened every where the price of commodities, which could easily be transported thither; but, in England, the labour of men, who could not so easily change their habitation, still remained nearly at the ancient rates: and the poor complained, that they could no longer gain a subsistence by their industry. It was by an addition, alone, of toil and application, they were enabled to procure a maintenance; and though this increase of industry was, at last, the effect of the present situation, and an effect beneficial to society, yet was it difficult for the people to shake off their former habits of indolence; and nothing but necessity could compel them to such an exertion of their faculties.

It must also be remarked, that the profusion of Henry VIII. had reduced him, notwithstanding his rapacity, to such difficulties, that he had been obliged to remedy a present necessity by the pernicious expedient of debasing the coin; and the wars, in which the protector had been involved, had induced him to carry still farther the same abuse. The usual consequences ensued: the good specie was hoarded or exported; base metal was coined at home, or imported from abroad, in great abundance; the common people, who received their wages in it, could not purchase commodities at the usual rates; an universal diffidence and stagnation of commerce took place; and loud complaints were heard in every part of England.

The protector, who loved popularity, and pitied the condition of the people, encouraged these complaints, by his endeavours to redress them. He appointed a commission for making inquiry concerning enclosures; and issued a proclamation, ordering all late enclosures to be laid open by a day appointed. The populace, meeting with such countenance from government, began to rise, in several places, and to commit disorders, but were quieted by remonstrances and persuasion. In order to give them greater satisfaction, Somerset appointed new commissioners, whom he sent every where, with an unlimited power, to hear and determine all causes about enclosures, highways, and cot-

<sup>1</sup> Strype, vol. ii. Repository Q.



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Insurrec-  
tions.

tages.<sup>1</sup> As this commission was disagreeable to the gentry and nobility, they stigmatized it as arbitrary and illegal; and the common people, fearing it would be eluded, and being impatient for immediate redress, could no longer contain their fury, but sought for a remedy by force of arms. The rising began, at once, in several parts of England, as if an universal conspiracy had been formed by the commonalty. The rebels, in Wiltshire, were dispersed by Sir William Herbert: those in the neighbouring counties, Oxford and Gloucester, by lord Gray, of Wilton. Many of the rioters were killed in the field: others were executed by martial law. The commotions in Hampshire, Sussex, Kent, and other counties, were quieted by gentler expedients; but the disorders in Devonshire and Norfolk threatened more dangerous consequences.

The commonalty, in Devonshire, began with the usual complaints against enclosures, and against oppressions from the gentry; but the parish priests of Sampford-Courtenay had the address to give their discontent a direction towards religion; and the delicacy of the subject, in the present emergency, made the insurrection immediately appear formidable. In other counties, the gentry had kept closely united with government; but here many of them took part with the populace; among others, Humphrey Arundel, governor of St. Michael's Mount. The rioters were brought into the form of a regular army, which amounted to the number of ten thousand. Lord Russel had been sent against them, at the head of a small force; but finding himself too weak to encounter them in the field, he kept at a distance, and began to negotiate with them; in hopes of eluding their fury by delay, and of dispersing them, by the difficulty of their subsisting in a body. Their demands were, that the mass should be restored, half of the abbey lands resumed, the law of the six articles executed, holy water and holy bread respected, and all other particular grievances redressed.<sup>2</sup> The council to whom Russel transmitted these demands sent a haughty answer; commanded the rebels to disperse, and promised them pardon, upon their immediate submission. Enraged at this disappointment, they marched to Exeter; carrying before them crosses, banners, holy water, candlesticks, and other implements of ancient superstition; together with the host, which they covered with a canopy.<sup>3</sup> The citizens of Exeter shut their gates; and the rebels, as they had no cannon, endeavoured to take the place, first by scalade, then by mining, but were repulsed in every attempt. Russel, meanwhile, lay at Honiton, till reinforced by Sir William Herbert and lord Gray, with some German horse, and some Italian harquebusiers, under Battista Spinola. He then resolved to attempt the relief of Exeter, which was now reduced to extremities. He attacked the rebels, drove them from all their posts,

<sup>1</sup> Burnet. vol. ii. 115. Strype, vol. ii. p. 171. <sup>2</sup> Hayward, p. 292. Holingshed, p. 1003. Fox, vol. ii. p. 666. Mem. Cranm. p. 186. <sup>3</sup> Heylin, p. 76.



did great execution upon them, both in the action and pursuit,<sup>1</sup> and took many prisoners. Arundel, and the other leaders, were sent to London, tried and executed. Many of the inferior sort were put to death, by martial law;<sup>2</sup> the vicar of St. Thomas, one of the principal incendiaries, was hanged on the top of his own steeple, arrayed in his popish weeds, with his beads at his girdle.<sup>3</sup>

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The insurrection in Norfolk rose to a still greater height, and was attended with greater acts of violence. The populace were at first excited, as in other places, by complaints against enclosures; but, finding their numbers amount to twenty thousand, they grew insolent, and proceeded to more exorbitant pretensions. They required the suppression of the gentry, the placing of new counsellors about the king, and the re-establishment of the ancient rites. One Ket, a tanner, had assumed the government over them, and he exercised his authority with the utmost arrogance and outrage. Having taken possession of Moushold-hill, near Norwich, he erected his tribunal, under an old oak, thence called the oak of reformation; and summoning the gentry to appear before him, he gave such decrees as might be expected from his character and situation. The marquis of Northampton was first ordered against him, but met with a repulse in an action, where lord Sheffield was killed.<sup>4</sup> The protector affected popularity, and cared not to appear in person against the rebels: he therefore sent the earl of Warwick, at the head of six thousand men, levied for the wars against Scotland; and he thereby afforded his mortal enemy an opportunity of increasing his reputation and character. Warwick, having tried some skirmishes with the rebels, at last made a general attack upon them, and put them to flight. Two thousand fell in the action and pursuit: Ket was hanged at Norwich castle; nine of his followers, on the boughs of the oak of reformation; and the insurrection was entirely suppressed. Some rebels, in Yorkshire, learning the fate of their companions, accepted the offers of pardon, and threw down their arms. A general indemnity was soon after published by the protector.<sup>5</sup>

But though the insurrections were thus quickly subdued in England, and no traces of them seemed to remain, they were attended with bad consequences to the foreign interests of the nation. The forces of the earl of Warwick, which might have made a great impression on Scotland, were diverted from that enterprise; and the French general had leisure to reduce that country to some settlement and composure. He took the fortress of Broughty, and put the garrison to the sword. He straitened the English at Haddington; and though lord Dacres was enabled to throw relief into the place, and to reinforce the garri-

Conduct  
of the war  
with Scot-  
land—

<sup>1</sup> Stowe's Annals, p. 597. Hayward, p. 295. <sup>2</sup> Hayward, p. 295, 296.  
<sup>3</sup> Heylin, p. 76. Holingshed, p. 1026. <sup>4</sup> Stowe, p. 597. Holingshed, p. 1030.  
—34. Strype, vol. ii. p. 174. <sup>5</sup> Hayward, p. 297, 298, 299.

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with  
France.

son, it was found at last very chargeable, and even impracticable, to keep possession of that fortress. The whole country, in the neighbourhood, was laid waste by the inroads both of the Scots and English, and could afford no supply to the garrison: the place lay above thirty miles from the borders; so that a regular army was necessary to escort any provisions thither: and, as the plague had broken out among the troops, they perished daily, and were reduced to a state of great weakness. For these reasons, orders were given to dismantle Haddington, and to convey the artillery and garrison to Berwick; and the earl of Rutland, now created warden of the east marches, executed the orders.

The king of France, also, took advantage of the distractions among the English, and made an attempt to recover Boulogne, and that territory which Henry VIII. had conquered from France. On other pretences he assembled an army; and, falling suddenly upon the Boulonnois, took the castles of Sellaque, Blackness and Ambleteuse, though well supplied with garrisons, ammunition and provisions.<sup>1</sup> He endeavoured to surprise Boulenbourg, and was repulsed; but the garrison, not thinking the place tenable after the loss of the other fortresses, destroyed the works and retired to Boulogne. The rains which fell in great abundance during the autumn, and a pestilential distemper which broke out in the French camp, deprived Henry of all hopes of success against Boulogne itself; and he retired to Paris.<sup>2</sup> He left the command of the army to Gaspar de Coligny, lord of Chatillon, so famous, afterwards, by the name of admiral Coligny; and he gave him orders to form the siege, early in the spring. The active disposition of this general engaged him to make, during the winter, several attempts against the place; but they all proved unsuccessful.

Strozzi, who commanded the French fleet and galleys, endeavoured to make a descent on Jersey; but meeting there with an English fleet, he commenced an action, which seems not to have been decisive, since the historians of the two nations differ in the account of the event.<sup>3</sup>

As soon as the French war broke out, the protector endeavoured to fortify himself with the alliance of the emperor; and he sent over secretary Paget to Brussels, where Charles then kept court, in order to assist Sir Philip Hobby, the resident ambassador, in this negotiation. But that prince had formed a design of extending his dominions, by acting the part of champion for the catholic religion; and though extremely desirous of accepting the English alliance against France, his capital enemy, he thought it unsuitable to his other pretensions to enter into strict confederacy with a nation, which had broken off all connexions with the church of Rome. He therefore declined the

<sup>1</sup> Thuanus, lib. vi. c. 6.    <sup>2</sup> Hayward, p. 300.    <sup>3</sup> Thuan, King Edward's Journal. Stowe, p. 597.

advances of friendship from England; and eluded the applications of the ambassadors. An exact account is preserved of this negotiation, in a letter of Hobby's; and it is remarkable that the emperor, in a conversation with the English ministers, asserted, that the prerogatives of a king of England were more extensive than those of a king of France.<sup>1</sup> Burnet, who preserves this letter, subjoins as a parallel instance, that one objection which the Scots made to marrying their queen with Edward was, that all their privileges would be swallowed up, by the great prerogative of the kings of England.<sup>2</sup>

Somerset, despairing of assistance from the emperor, was inclined to conclude a peace with France and Scotland; and besides that he was not in a condition to maintain such ruinous wars, he thought that there no longer remained any object of hostility. The Scots had sent away their queen; and could not, if ever so much inclined, complete the marriage contracted with Edward: and as Henry VIII. had stipulated to restore Boulogne in 1554, it seemed a matter of small moment to anticipate a few years the execution of the treaty. But when he proposed these reasons to the council, he met with strong opposition from his enemies, who, seeing him unable to support the war, were determined, for that very reason, to oppose all proposals for a pacification. The factions ran high in the court of England; and matters were drawing to an issue fatal to the authority of the protector.

After Somerset obtained the patent, investing him with regal authority, he no longer paid any attention to the opinion of the other executors and counsellors; and being elated with his high dignity, as well as with his victory at Pinkey, he thought that every one ought, in every thing, to yield to his sentiments. All those who were not entirely devoted to him, were sure to be neglected; whoever opposed his will, received marks of anger or contempt;<sup>3</sup> and while he showed a resolution to govern every thing, his capacity appeared not in any respect proportioned to his ambition. Warwick, more subtle and artful, covered more exorbitant views, under fairer appearances; and having associated himself with Southampton, who had been re-admitted into the council, he formed a strong party, who were determined to free themselves from the slavery imposed on them by the protector.

The malcontent counsellors found the disposition of the nation favourable to their designs. The nobility and gentry were, in general, displeased with the preference which Somerset seemed to have given to the people; and as they ascribed all the insults, to which they had lately been exposed, to his procrastination, and to the countenance shown to the multitude, they apprehended a renewal of the same disorders, from his present affectation of popularity. He had erected a court of re-

<sup>1</sup> Burnet, vol. ii. p. 132, 175    <sup>2</sup> Burnet, vol. ii. p. 133.    <sup>3</sup> Strype, vol. ii. p. 181.



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quests in his own house, for the relief of the people;<sup>1</sup> and he interposed with the judges in their behalf; a measure which might be deemed illegal, if any exertion of prerogative, at that time, could with certainty deserve that appellation. And this attempt, which was a stretch of power, seemed the more impolitic because it disgusted the nobles, the surest support of monarchical authority.

But though Somerset courted the people, the interest which he had formed with them was in no degree answerable to his expectations. The catholic party, who retained influence with the lower ranks, were his declared enemies, and took advantage of every opportunity to decry his conduct. The attainder and execution of his brother bore an odious aspect: the introduction of foreign troops into the kingdom was represented in invidious colours: the great estate which he had suddenly acquired, at the expense of the church and of the crown, rendered him obnoxious; and the palace which he was building in the Strand served, by its magnificence, and still more by other circumstances which attended it, to expose him to the censure of the public. The parish church of St. Mary, with three bishops' houses, was pulled down, in order to furnish ground and materials for this structure: not content with that sacrilege, an attempt was made to demolish St. Margaret's, Westminster, and to employ the stones to the same purpose; but the parishioners rose in a tumult, and chased away the protector's tradesmen. He then laid his hands on a chapel, in St. Paul's Churchyard, with a cloister and charnel house, belonging to it; and these edifices, together with a church of St. John of Jerusalem, were made use of to raise his palace. What rendered the matter more odious to the people was, that the tombs, and other monuments of the dead, were defaced; and the bones, being carried away, were buried in unconsecrated ground.<sup>2</sup>

6th Oct.  
Conspiracy  
against  
Somerset.

All these imprudences were remarked by Somerset's enemies, who resolved to take advantage of them. Lord St. John, president of the council, the earls of Warwick, Southampton and Arundel, with five members more, met at Ely-house; and assuming to themselves the whole power of the council, began to act independently of the protector, whom they represented as the author of every public grievance and misfortune. They wrote letters to the chief nobility and gentry in England, informing them of the present measures, and requiring their assistance: they sent for the mayor and aldermen of London, and enjoined them to obey their orders, without regard to any contrary orders which they might receive from the duke of Somerset. They laid the same injunctions on the lieutenant of the Tower, who expressed his resolution to comply with them. Next day, Rich, lord chancellor, the marquis of North-

<sup>1</sup> Strype, vol. ii. p. 183. <sup>2</sup> Heylin, p. 72, 73. Stowe's Survey of London. Maynard, p. 303.



ampton, the earl of Shrewsbury, Sir Thomas Cheney, Sir John Gage, Sir Ralph Sadler, and chief justice Montague, joined the malcontent counsellors: and every thing bore a bad aspect for the protector's authority. Secretary Petre, whom he had sent to treat with the council, rather chose to remain with them: the common council of the city, being applied to, declared, with one voice, their approbation of the new measures, and their resolution of supporting them.<sup>1</sup>

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As soon as the protector heard of the defection of the counsellors, he removed the king from Hampton-court, where he then resided, to the castle of Windsor; and, arming his friends and servants, seemed resolute to defend himself against all his enemies. But finding that no man of rank, except Cranmer and Paget, adhered to him; that the people did not rise at his summons; that the city and Tower had declared against him; that even his best friends had deserted him, he lost all hopes of success, and began to apply to his enemies for pardon and forgiveness. No sooner was this despondency known, than lord Russel, Sir John Baker, speaker of the house of commons, and three counsellors more, who had hitherto remained neutrals, joined the party of Warwick, whom every one now regarded as master. The counsel informed the public, by proclamation, of their actions and intentions; they wrote to the princesses, Mary and Elizabeth, to the same purpose; and they made addresses to the king, in which, after the humblest protestations of duty and submission, they informed him, that they were the council appointed by his father, for the government of the kingdom, during his minority; that they had chosen the duke of Somerset protector, under the express condition that he should guide himself by their advice and direction: that he had usurped the whole authority, and had neglected, and, even in every thing, opposed their counsel; that he had proceeded to that height of presumption as to levy forces against them, and place these forces about his majesty's person: they, therefore, begged that they might be admitted to his royal presence; that he would be pleased to restore them to his confidence, and that Somerset's servants might be dismissed. Their request was complied with; Somerset capitulated, only for gentle treatment, which was promised him. He was, however, sent to the Tower,<sup>2</sup> with some of his friends and partisans, among whom was Cecil, afterwards so much distinguished. Articles of indictment were exhibited against him;<sup>3</sup> of which the chief, at least the best founded, is his usurpation of the government, and his taking into his own hands the whole administration of affairs. The clause of his patent, which invested him with absolute power, unlimited by any law, was never objected to him; plainly, because, according to the sentiments of those times, that power was, in some degree, involved in the very idea of regal authority.

Somerset  
resigns  
the pro-  
tectorship.

<sup>1</sup> Stowe, p. 597, 598. Holingshed, p. 1057. <sup>2</sup> Stowe, p. 600. <sup>3</sup> Burnet, vol. ii. book 1, coll. 46. Hayward, p. 303. Stowe, p. 601. Holingshed, p. 1059.

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The catholics were extremely elated with this revolution; and, as they had ascribed all the late innovations to Somerset's authority, they hoped that his fall would prepare the way for the return of the ancient religion. But Warwick, who now bore chief sway in the council, was entirely indifferent, with regard to all these points of controversy; and, finding that the principles of the reformation had sunk deeper into Edward's mind than to be easily eradicated, he was determined to comply with the young prince's inclinations, and not to hazard his new acquired power, by any dangerous enterprise. He took care, very early, to express his intentions of supporting the reformation; and he threw such discouragements on Southampton, who stood at the head of the Romanists, and whom he considered as a dangerous rival, that that high-spirited nobleman retired from the council, and, soon after, died, from vexation and disappointment. The other counsellors, who had concurred in the revolution, received their reward, by promotions and new honours. Russel was created earl of Bedford: the marquis of Northampton obtained the office of great chamberlain; and lord Wentworth, besides the office of chamberlain of the household, got two large manors, Stepney and Hackney, which were torn from the see of London.<sup>1</sup> A council of regency was formed, not that which Henry's will had appointed, for the government of the kingdom, and which, being founded on an act of parliament, was the only legal one, but composed, chiefly, of members who had formerly been appointed by Somerset, and who derived their seat from an authority which was now declared usurped and illegal. But such niceties were, during that age, little understood, and still less regarded, in England.

4th Nov.  
A parliament.

23d Dec.

A session of parliament was held; and, as it was the usual maxim of that assembly to acquiesce in every administration which was established, the council dreaded no opposition from that quarter, and had more reason to look for a corroboration of their authority. Somerset had been prevailed on to confess, on his knees, before the council, all the articles of charge against him; and he imputed these misdemeanors to his own rashness, folly and indiscretion, not to any malignity of intention.<sup>2</sup> He even subscribed this confession; and the paper was given in to parliament, who, after sending a committee to examine him, and hear him acknowledge it to be genuine, passed a vote, by which they deprived him of all his offices, and fined him two thousand pounds a year, in land. Lord St. John was created treasurer, in his place, and Warwick earl marshal. The prosecution against him was carried no farther. His fine was remitted by the king: he recovered his liberty: and Warwick, thinking that he was now sufficiently humbled, and that his authority was much lessened, by his late tame and abject behaviour, re-admitted him into the

<sup>1</sup> Heylin, p. 85. Rymer, tom. xv. p. 226. <sup>2</sup> Heylin, p. 84. Hayward, p. 309. Stowe, p. 603.

council, and even agreed to an alliance between their families, by the marriage of his own son, lord Dudley, with the lady Jane Seymour, daughter of Somerset.<sup>1</sup>

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During this session, a severe law was passed against riots.<sup>2</sup> It was enacted, that if any, to the number of twelve persons, should meet together, for any matter of state, and being required, by a lawful magistrate, should not disperse, it should be treason; and if any broke hedges, or violently pulled up pales, about enclosures, without lawful authority, it should be felony: any attempt to kill a privy counsellor was subjected to the same penalty. The bishops had made an application, complaining that they were deprived of all their power, by the encroachments of the civil courts, and the present suspension of the canon law; that they could summon no offender before them, punish no vice, or exert the discipline of the church; from which diminution of their authority, they pretended, immorality had every where received great encouragement and increase. The design of some was, to revive the penitentiary rules of the primitive church: but others thought that such an authority, committed to the bishops, would prove more oppressive than confession, penance, and all the clerical inventions of the Romish superstition. The parliament, for the present, contented themselves with empowering the king to appoint thirty-two commissioners, to compile a body of canon laws, which were to be valid, though never ratified by parliament. Such implicit trust did they repose in the crown, without reflecting that all their liberties and properties might be affected by these canons.<sup>3</sup> The king did not live to affix the royal sanction to the new canons. Sir John Sharrington, whose crimes and malversations had appeared so egregious, at the condemnation of lord Seymour, obtained, from parliament, a reversal of his attainder.<sup>4</sup> This man sought favour with the more zealous reformers; and bishop Latimer affirmed, that though formerly he had been a most notorious knave, he was now so penitent, that he had become a very honest man.

When Warwick, and the council of regency, began to exercise their power, they found themselves involved in the same difficulties that had embarrassed the protector. The wars with France and Scotland could not be supported by an exhausted exchequer; seemed dangerous to a divided nation; and were now acknowledged not to have any object, which even the greatest and most uninterrupted success could attain. The project of peace, entertained by Somerset, had served them as a pretence for clamour against his administration; yet, after sending Sir Thomas Cheney to the emperor, and making again a fruitless effort to engage him in the protection of Boulogne, they found themselves obliged to listen to the advances which Henry made them, by the canal of Guidotti, a Florentine merchant. The earl of Bed-

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Peace  
with  
France  
and Scot-  
land.

<sup>1</sup> Hayward, p. 309. <sup>2</sup> 3 and 4 Ewd. VI. c. 5. <sup>3</sup> Ibid. c. 2. <sup>4</sup> Ibid. c. 13.



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Boulogne  
surren-  
dered.  
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ford, Sir John Mason, Paget, and Petre, were sent over to Boulogne, with full powers to negotiate. The French king absolutely refused to pay two millions of crowns, which his predecessor had acknowledged to be due to the crown of England, as arrears of pensions; and said, that he never would consent to render himself tributary to any prince; but he offered a sum for the immediate restitution of Boulogne; and four hundred thousand crowns were at last agreed on, one half to be paid immediately, the other in August following. Six hostages were given, for the performance of this article. Scotland was comprehended in the treaty: the English stipulated to restore Lauder and Douglas, and to demolish the fortresses of Roxburgh and Eyemouth.<sup>1</sup> No sooner was peace concluded with France than a project was entertained of a close alliance with that kingdom; and Henry willingly embraced a proposal so suitable, both to his interests and his inclinations. An agreement, some time after, was formed for a marriage between Edward and Elizabeth, a daughter of France; and all the articles were, after a little negotiation, fully settled;<sup>2</sup> but this project never took effect.

The intention of marrying the king to a daughter of Henry, a violent persecutor of the protestants, was nowise acceptable to that party in England: but, in other respects, the council was steady in promoting the reformation, and in enforcing the laws against the Romanists. Several prelates were still addicted to that communion; and though they made some compliances, in order to save their bishoprics, they retarded, as much as they safely could, the execution of the new laws, and gave countenance to such incumbents as were neglected or refractory. A resolution was therefore taken, to seek pretences for depriving those prelates; and the execution of this intention was the more easy, as they had, all of them, been obliged to take commissions, in which it was declared, that they held their sees during the king's pleasure only. It was thought proper to begin with Gardiner, in order to strike a terror into the rest. The method of proceeding against him was violent, and had scarcely any colour of law or justice. Injunctions had been given him, to inculcate, in a sermon, the duty of obedience to a king, even during his minority; and because he had neglected this topic, he had been thrown into prison, and had been there detained, during two years, without being accused of any crime, except disobedience to this arbitrary command. The duke of Somerset, secretary Petre, and some others of the council, were now sent, in order to try his temper, and endeavoured to find some grounds for depriving him: he professed to them his intention of conforming to the government, of supporting the king's laws, and of officiating, by the new liturgy. This was not the disposition which they expected or desired.<sup>3</sup> A new deputation was therefore

<sup>1</sup> Burnet, vol. ii. p. 148. Hayward, p. 310, 311, 312. Rymer, vol. xv. p. 211.

\* Hayward, p. 318. Heylin, p. 104. Rymer, tom. xv. p. 293. <sup>3</sup> Heylin, p. 99.



sent, who carried him several articles to subscribe. He was required to acknowledge his former misbehaviour, and to confess the justice of his confinement: he was likewise to own, that the king was supreme head of the church; that the power of making and dispensing with holidays was part of the prerogative; that the book of common prayer was a godly and commendable form; that the king was a complete sovereign, in his minority; that the law of the six articles was justly repealed; and that the king had full authority to correct and reform what was amiss in ecclesiastical discipline, government, or doctrine. The bishop was willing to set his hand to all the articles, except the first: he maintained his conduct to have been inoffensive; and declared that he would not own himself guilty of faults, which he had never committed.<sup>1</sup>

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The council, finding that he had gone such lengths, were determined to prevent his full compliance, by multiplying the difficulties upon him, and sending him new articles to subscribe. A list was selected, of such points as they thought would be the hardest of digestion; and, not content with this rigour, they also insisted on his submission, and his acknowledgment of past errors. To make this subscription more mortifying, they demanded a promise, that he would recommend and publish all these articles from the pulpit; but Gardiner, who saw that they intended either to ruin or dishonour him, or perhaps both, determined not to gratify his enemies by any farther compliance: he still maintained his innocence, desired a fair trial, and refused to subscribe more articles till he should recover his liberty. For this pretended offence his bishopric was put under sequestration for three months; and, as he then appeared no more compliant than before, a commission was appointed to try, or, more properly speaking, to condemn him. The commissioners were the primate, the bishops of London, Ely and Lincoln, secretary Petre, Sir James Hales, and some other lawyers. Gardiner objected to the legality of the commission, which was not founded on any statute or precedent; and he appealed from the commissioners to the king. His appeal was not regarded: sentence was pronounced against him: he was deprived of his bishopric, and committed to close custody: his books and papers were seized: he was secluded from all company; and it was not allowed him either to send or receive letters or messages.<sup>2</sup>

Gardiner, as well as the other prelates, had agreed to hold his office during the king's pleasure: but the council, unwilling to make use of a concession which had been so illegally and arbitrarily extorted, chose rather to employ some forms of justice; a resolution which led them to commit still greater iniquities and severities. But the violence of the reformers did not stop here. Day, bishop of Chichester, Heathe, of Worcester, and Volsey, of

<sup>1</sup> Collier, vol. ii. p. 305, from the council books. Heylin, p. 99. <sup>2</sup> Fox, vol. ii. p. 734, et seq. Burnet, Heylin, Collier.

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These plunderers neglected not even smaller profits. An order was issued by council for purging the library at Westminster of all missals, legends, and other superstitious volumes, and delivering their garniture to Sir Anthony Aucher.<sup>2</sup> Many of these books were plated with gold and silver, and curiously embossed; and this finery was, probably, the superstition that condemned them. Great havoc was likewise made on the libraries at Oxford. Books and manuscripts were destroyed, without distinction: the volumes of divinity suffered for their rich binding: those of literature were condemned as useless: those of geometry and astronomy were supposed to contain nothing but necromancy.<sup>3</sup> The university had not power to oppose these barbarous violences: they were in danger of losing their own revenues, and expected, every moment, to be swallowed up by the earl of Warwick and his associates.

Though every one besides yielded to the authority of the council, the lady Mary could never be brought to compliance; and she still continued to adhere to the mass, and to reject the new liturgy. Her behaviour was, during some time, connived at; but at last her two chaplains, Mallet and Berkley, were thrown into prison;<sup>4</sup> and remonstrances were made to the princess herself, on account of her disobedience. The council wrote her a letter, by which they endeavoured to make her change her sentiments, and to persuade her that her religious faith was very ill grounded. They asked her what warrant there was, in Scripture, for prayers in an unknown tongue, the use of images, or offering up the sacrament for the dead; and they desired her to peruse St. Austin, and the other ancient doctors, who would convince her of the errors of the Romish superstition, and prove that it was founded merely on false miracles and lying stories.<sup>5</sup> The lady Mary remained obstinate against all this advice, and declared herself willing to endure death rather than relinquish her religion: she only feared, she said, that she was not worthy to suffer martyrdom in so holy a cause; and, as for protestant books, she thanked God that, as she never had, so she hoped never to read any of them. Dreading farther violence, she endeavoured to make an escape to her kinsman, Charles; but her design was discovered and prevented.<sup>6</sup> The emperor remonstrated in her behalf, and even threatened hostilities, if liberty of conscience were refused her: but, though the council, sensi-

<sup>1</sup> Goodwin de Præsul. Angl. Heylin, p. 100. <sup>2</sup> Collier, vol. ii. p. 307, from the council books. <sup>3</sup> Wood, Hist. and Antiq. Oxon. lib. i. p. 271, 272. <sup>4</sup> Strype, vol. ii. p. 249. <sup>5</sup> Fox, vol. ii. Collier, Burnet. <sup>6</sup> Hayward, p. 315.

ble that the kingdom was in no condition to support with honour such a war, was desirous to comply, they found great difficulty to overcome the scruples of the young king. He had been educated in such a violent abhorrence of the mass and other popish rites, which he regarded as impious and idolatrous, that he should participate, he thought, in the sin, if he allowed its commission; and when, at last, the importunity of Cranmer, Ridley, and Poinet, prevailed somewhat over his opposition, he burst into tears, lamenting his sister's obstinacy, and bewailing his own hard fate, that he must suffer her to continue in such an abominable mode of worship.

The great object, at this time of antipathy among the protestant sects, was popery, or, more properly speaking, the papists. These they regarded as the common enemy, who threatened every moment to overwhelm the evangelical faith, and destroy its partisans by fire and sword: they had not, as yet, had leisure to attend to the other minute differences among themselves, which afterwards became the object of such furious quarrels and animosities, and threw the whole kingdom into combustion. Several Lutheran divines, who had reputation in those days, Bucer, Peter Martyr, and others, were induced to take shelter in England, from the persecutions which the emperor exercised in Germany; and they received protection and encouragement.—John A-lasco, a popish nobleman, being expelled his country by the rigours of the catholics, settled during some time at Embden, in East Friezland, where he became preacher to a congregation of the reformed. Foreseeing the persecutions which ensued, he removed to England, and brought his congregation along with him. The council, who regarded them as industrious, useful people, and desirous to invite over others, of the same character, not only gave them the church of Augustine friars, for the exercise of their religion, but granted them a charter, by which they were erected into a corporation, consisting of a superintendant and four assisting ministers. The ecclesiastical establishment was quite independent of the church of England, and differed from it in some rites and ceremonies.<sup>1</sup>

These differences among the protestants were matter of triumph to the catholics; who insisted, that the moment men departed from the authority of the church, they lost all criterion of truth and falsehood in matters of religion, and must be carried away by every wind of doctrine. The continual variations of every sect of protestants afforded them the same topic of reasoning. The book of common prayer suffered in England a new revisal, and some rites and ceremonies, which had given offence, were omitted.<sup>2</sup> The speculative doctrines, or the metaphysics of religion, were also reduced to forty-two articles. These were intended to obviate farther divisions and variations; and the compiling of them had been postponed, till the estab-

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<sup>1</sup> Mem. Cranm. p. 234.    <sup>2</sup> Ibid. p. 289.



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lishment of the liturgy, which was justly regarded as a more material object to the people. The eternity of hell torments is asserted in this confession of faith; and care is also taken to inculcate, that not only no heathen, how virtuous soever, can escape an endless state of the most exquisite misery, but also that every one who presumes to maintain, that any pagan can possibly be saved, is himself exposed to the penalty of eternal perdition.<sup>1</sup>

The theological zeal of the council, though seemingly fervent, went not so far as to make them neglect their own temporal concerns, which seem to have ever been uppermost in their thoughts: they even found leisure to attend to the public interest; nay, to the commerce of the nation, which was, at that time, very little the object of general study or attention. The trade of England had anciently been carried on altogether by foreigners, chiefly the inhabitants of the Hanse-towns, or East-erlings, as they were called; and, in order to encourage these merchants to settle in England, they had been erected into a corporation, by Henry III. had obtained a patent, were endowed with privileges, and were exempted from several heavy duties paid by other aliens. So ignorant were the English of commerce, that this company, usually denominated the merchants of the Stil-yard, engrossed, even down to the reign of Edward, almost the whole foreign trade of the kingdom; and, as they naturally employed the shipping of their own country, the navigation of England was also in a very languishing condition. It was, therefore, thought proper by the council to seek pretences for annulling the privileges of this corporation; privileges which put them nearly on an equal footing with Englishmen, in the duties which they paid; and as such patents were, during that age, granted by the absolute power of the king, men were the less surprised to find them revoked by the same authority. Several remonstrances were made against this innovation by Lubec, Hamburgh, and other Hanse-towns; but the council persevered in their resolution, and the good effects of it soon became visible to the nation. The English merchants, by their very situation as natives, had advantages above foreigners, in the purchase of cloth, wool, and other commodities; though these advantages had not, hitherto, been sufficient to rouse their industry, or engage them to become rivals to this opulent company: but when aliens' duty was also imposed upon all foreigners indiscriminately, the English were tempted to enter into commerce; and a spirit of industry began to appear in the kingdom.<sup>2</sup>

About the same time a treaty was made, with Gustavus Ericson, king of Sweden, by which it was stipulated, that if he sent bullion into England, he might export English commodities without paying custom: that he should carry bullion to no other prince; that, if he sent ozimus, steel, copper, &c. he should pay custom for

<sup>1</sup> Article 18. <sup>2</sup> Hayward, p. 326. Heylin, p. 108. Strype's Mem. vol. ii. p. 295.



English commodities, as an Englishman; and that if he sent other merchandize, he should have free intercourse, paying custom as a stranger.<sup>1</sup> The bullion sent over by Sweden, though it could not be in great quantity, set the mint to work: good specie was coined; and much of the base metal, formerly issued, was recalled: a circumstance which tended extremely to the encouragement of commerce.

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But all these schemes for promoting industry were likely to prove abortive, by the fear of domestic convulsions, arising from the ambition of Warwick. That nobleman, not contented with the station which he had attained, carried farther his pretensions, and had gained partisans who were disposed to second him in every enterprise. The last earl of Northumberland died without issue; and as Sir Thomas Piercy, his brother, had been attainted, on account of the share which he had in the Yorkshire insurrection, during the late reign, the title was at present extinct, and the estate was vested in the crown. Warwick now procured to himself a grant of those ample possessions, which lay chiefly in the north, the most warlike part of the kingdom; and he was dignified with the title of duke of Northumberland. His friend Paulet, lord St. John, the treasurer, was created first earl of Wiltshire, then marquis of Winchester: Sir William Herbert obtained the title of earl of Pembroke.

Warwick  
created  
duke of  
Northum-  
berland.

But the ambition of Northumberland made him regard all increase of possessions and titles, either to himself or his partisans, as steps only to farther acquisitions. Finding that Somerset, though degraded from his dignity, and even lessened in the public opinion by his spiritless conduct, still enjoyed a considerable share of popularity, he determined to ruin the man whom he regarded as the chief obstacle to the attainment of his hopes. The alliance which had been contracted between the families had produced no cordial union, and only enabled Northumberland to compass, with more certainty, the destruction of his rival. He secretly gained many of the friends and servants of that unhappy nobleman: he sometimes terrified him by the appearance of danger; sometimes provoked him by ill usage. The unguarded Somerset often broke out into menacing expressions against Northumberland: at other times, he formed rash projects, which he immediately abandoned: his treacherous confidants carried to his enemy every passionate word which dropped from him: they revealed the schemes which they themselves had first suggested:<sup>2</sup> and Northumberland, thinking that the proper season was now come, began to act in an open manner against him.

His ambi-  
tion.

In one night, the duke of Somerset, lord Grey, David and John Seymour, Hammond and Neudigate, two of the duke's servants, Sir Ralph Vane, and Sir Thomas Palmer, were arrested and committed to custody. Next day, the dutchess of Somerset, with her favourites, Crane and his wife, Sir Miles Partridge, Sir Michael Stanhope, Bannister, and others, were thrown into prison. 16th Oct.

<sup>1</sup> Heylin, p. 109.    <sup>2</sup> Ibid. p. 112.

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Sir Thomas Palmer, who had, all along, acted as a spy upon Somerset, accused him of having formed a design to raise an insurrection in the north, to attack the gens d'armes on a muster day, to secure the Tower, and to raise a rebellion in London: but, what was the only probable accusation, he asserted that Somerset had once laid a project for murdering Northumberland, Northampton, and Pembroke, at a banquet which was to be given them by lord Paget. Crane and his wife confirmed Palmer's testimony, with regard to this last design; and it appears that some rash scheme of that nature had really been mentioned; though no regular conspiracy had been formed, or means prepared for its execution. Hammond confessed that the duke had armed men to guard him one night, in his house at Greenwich.

Trial of  
Somerset.

Somerset was brought to his trial, before the marquis of Winchester, created high steward. Twenty-seven peers composed the jury, among whom were Northumberland, Pembroke, and Northampton, whom decency should have hindered from acting as judges, in the trial of a man that appeared to be their capital enemy. Somerset was accused of high treason, on account of the projected insurrections, and of felony, in laying a design to murder privy counsellors.

1st Dec.

We have a very imperfect account of all state trials during that age, which is a sensible defect in our history: but it appears that some more regularity was observed, in the management of this prosecution, than had usually been employed in like cases. The witnesses were at least examined by the privy council; and though they were neither produced in court, nor confronted with the prisoner (circumstances required by the strict principles of equity) their depositions were given into by the jury. The proof seems to have been lame, with regard to the treasonable part of the charge, and Somerset's defence was so satisfactory, that the peers gave verdict in his favour; the intention alone of assaulting the privy counsellors, was supported by tolerable evidence; and the jury brought him in guilty of felony. The prisoner himself confessed, that he had expressed his intention of murdering Northumberland and the other lords; but had not formed any resolution on that head: and when he received sentence, he asked pardon of those peers, for the designs which he had hearkened to against them. The people, by whom Somerset was beloved, hearing the first part of the sentence, by which he was acquitted from treason, expressed their joy by loud acclamations; but their satisfaction was suddenly damped, on finding that he was condemned to death for felony.<sup>1</sup>

1552.

Care had been taken, by Northumberland's emissaries, to prepossess the young king against his uncle; and lest he should relent, no access was given to any of Somerset's friends, and the prince was kept from reflection, by a continued series of occu-

<sup>1</sup> Hayward, p. 320, 321, 322. Stowe, p. 606. Holingshed, p. 1067.

pations and amusements. At last the prisoner was brought to the scaffold, on Towerhill, amidst great crowds of spectators, who bore him such sincere kindness that they entertained to the last moment the fond hopes of his pardon.<sup>1</sup> Many of them rushed in to dip their handkerchiefs in his blood, which they long preserved as a precious relic, and some of them soon after, when Northumberland met with a like doom, upbraided him with this cruelty and displayed to him these symbols of his crime. Somerset, indeed, though many actions of his life were exceptionable, seems in general to have merited a better fate; and the faults which he committed were owing to weakness, not to any bad intention. His virtues were better calculated for private than for public life; and by his want of penetration and firmness, he was ill fitted to extricate himself from those cabals and violences to which that age was so much addicted. Sir Thomas Arundel, Sir Michael Stanhope, Sir Miles Partridge, and Sir Ralph Vane, all of them Somerset's friends, were brought to their trial, condemned and executed: great injustice seems to have been used in their prosecution. Lord Paget, chancellor of the dutchy, was on some pretence tried in the star-chamber, and condemned in a fine of six thousand pounds, with the loss of his office. To mortify him the more, he was degraded from the order of the garter, as unworthy, on account of his mean birth, to share that honour.<sup>2</sup> Lord Rich, chancellor, was also compelled to resign his office on the discovery of some marks of friendship which he had shown to Somerset.

The day after the execution of Somerset a session of parliament was held, in which farther advances were made towards the establishment of the reformation. The new liturgy was authorized, and penalties were enacted against all those who absented themselves from public worship.<sup>3</sup> To use the mass had already been prohibited under severe penalties; so that the reformers, it appears, whatever scope they had given to their own private judgment in disputing the tenets of the ancient religion, were resolved not to allow the same privilege to others; and the practice, nay, the very doctrine of toleration, was at that time equally unknown to all sects and parties. To dissent from the religion of the magistrate, was universally conceived to be as criminal as to question his title, or rebel against his authority.

A law was enacted against usury; that is, against taking any interest for money.<sup>4</sup> This act was the remains of ancient superstition, but being found extremely iniquitous in itself, as well as prejudicial to commerce, it was afterwards repealed in the twelfth of Elizabeth. The common rate of interest, notwithstanding the law, was at this time fourteen per cent.<sup>5</sup>

A bill was introduced by the ministry into the house of lords, renewing those rigorous statutes of treason which had been abro-

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His execu-  
tion.  
22d Jan.

23d Jan.  
A parlia-  
ment.

<sup>1</sup> Hayward, p. 324, 325.    <sup>2</sup> Stowe, p. 608.    <sup>3</sup> 5 and 6 Edw. VI. c. 1.  
<sup>4</sup> 5 and 6 Edw. VI. c. 20.    <sup>5</sup> Hayward, p. 318.



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gated in the beginning of this reign; and though the peers, by their high station, stood most exposed to these tempests of state, yet had they so little regard to public security, or even to their own true interest, that they passed the bill, with only one dissenting voice.<sup>1</sup> But the commons rejected it, and prepared a new bill that passed into a law, by which it was enacted that whoever should call the king, or any of his heirs, named in the statute of the thirty-fifth of the last reign, heretic, schismatic, tyrant, infidel, or usurper of the crown, should forfeit, for the first offence, his goods and chattels, and be imprisoned during pleasure; for the second should incur a *premunire*; for the third should be attainted for treason. But, if any should unadvisedly utter such a slander, in writing, printing, painting, carving, or graving, he was for the first offence to be held as a traitor.<sup>2</sup> It may be worthy of notice, that the king and his next heir, the lady Mary, were professedly of different religions, and religions which threw on each other the imputation of heresy, schism, idolatry, profaneness, blasphemy, wickedness, and all the opprobrious epithets that religious zeal has invented. It was almost impossible, therefore, for the people, if they spoke at all on these subjects, not to fall into the crime so severely punished by the statute; and the jealousy of the commons for liberty, though it led them to reject the bill of treason sent to them by the lords, appears not to have been very active, vigilant, or clearsighted.

The commons annexed to this bill a clause which was of more importance than the bill itself, that no one should be convicted of any kind of treason unless the crime were proved by the oaths of two witnesses, confronted with the prisoner. The lords for some time scrupled to pass this clause, though conformable to the most obvious principles of equity. But the members of that house trusted for protection to their present personal interest and power, and neglected the noblest and most permanent security, that of laws.

The house of peers passed a bill, whose object was making a provision for the poor; but the commons, not choosing that a money-bill should begin in the upper house, framed a new act to the same purpose. By this act the churchwardens were empowered to collect charitable contributions; and if any refused to give, or dissuaded others from that charity, the bishop of the diocese was empowered to proceed against them. Such large discretionary powers, intrusted to the prelates, seem as proper an object of jealousy as the authority assumed by the peers.<sup>3</sup>

There was another occasion, in which the parliament reposed an unusual confidence in the bishops. They empowered them to proceed against such as neglected the Sundays and holidays.<sup>4</sup> But these were unguarded concessions granted to the church: the general humour of the age rather led men to bereave the

<sup>1</sup> Parliamentary Hist. vol. iii. p. 258. Burnet, vol. ii. p. 190. <sup>2</sup> 5 and 6 Edw. VI. c. 2. <sup>3</sup> 5 and 6 Edw. VI. c. 2. <sup>4</sup> Ibid. c. 3.



ecclesiastics of all power, and even to pillage them of their property: many clergymen, about this time, were obliged, for a subsistence, to turn carpenters or tailors, and some kept ale-houses.<sup>1</sup> The bishops themselves were generally reduced to poverty, and held both their revenues and spiritual office by a very precarious and uncertain tenure.

Tonstal, bishop of Durham, was one of the most eminent prelates of that age, still less for the dignity of his see than for his own personal merit, his learning, moderation, humanity, and beneficence. He had opposed, by his vote and authority, all innovations in religion; but, as soon as they were enacted, he had always submitted, and had conformed to every theological system which had been established. His known probity had made this compliance be ascribed, not to an interested or time-serving spirit, but to a sense of duty, which led him to think, that all private opinion ought to be sacrificed to the great concern of public peace and tranquillity. The general regard paid to his character, had protected him from any severe treatment, during the administration of Somerset; but, when Northumberland gained the ascendant, he was thrown into prison; and, as that rapacious nobleman had formed a design of seizing the revenues of the see of Durham, and of acquiring to himself a principality in the northern counties, he was resolved, in order to effect this purpose, to deprive Tonstal of his bishopric. A bill of attainder, therefore, on pretence of misprision of treason, was introduced into the house of peers, against the prelate; and it passed, with the opposition only of lord Stourton, a zealous catholic, and of Cranmer, who always bore a cordial and sincere friendship to the bishop of Durham. But, when the bill was sent down to the commons, they required that witnesses should be examined, that Tonstal should be allowed to defend himself, and that he should be confronted with his accusers: and, when these demands were refused, they rejected the bill.

This equity, so unusual in the parliament, during that age, was ascribed, by Northumberland and his partisans, not to any regard for liberty and justice, but to the prevalence of Somerset's faction in a house of commons, which, being chosen during the administration of that nobleman, had been almost entirely filled with his creatures. They were confirmed in this opinion, when they found that a bill, ratifying the attainder of Somerset and his accomplices, was also rejected by the commons, though it had passed the upper house. A resolution was therefore taken to dissolve the parliament, which had sitten during the whole April 15th; reign; and, soon after, to summon a new one.

Northumberland, in order to ensure to himself a house of A new commons entirely obsequious to his will, ventured on an expedient, which could not have been practised, or even imagined, ment.

<sup>1</sup> Burnet, vol. ii. p. 202.

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in any age where there was any idea or comprehension of liberty. He engaged the king to write circular letters to all the sheriffs, in which he enjoined them to inform the freeholders, that they were required to choose men of knowledge and experience for their representatives. After this general exhortation, the king continued, in these words: "And yet, nevertheless, our pleasure is, that where our privy council, or any of them, shall, on our behalf, recommend, within their jurisdiction, men of learning and wisdom; in such cases, their direction shall be regarded and followed, as tending to the same end which we desire; that is, to have this assembly composed of the persons in our realm the best fitted to give advice and good counsel."<sup>1</sup> Several letters were sent from the king, recommending members to particular counties; Sir Richard Cotton to Hampshire; Sir William Fitzwilliams and Sir Henry Nevil to Berkshire; Sir William Drury and Sir Henry Benningfield to Suffolk, &c. But though some counties only received this species of *congé d'élire* from the king, the recommendations from the privy council and the counsellors, we may fairly presume, would extend to the greater part, if not to the whole of the kingdom.

It is remarkable, that this attempt was made, during the reign of a minor king, when the royal authority is usually weakest; that it was patiently submitted to; and that it gave so little umbrage as scarcely to be taken notice of by any historian. The painful and laborious collector, above cited, who never omits the most trivial matter, is the only person that has thought this memorable letter worthy of being transmitted to posterity.

1553.

1st March.

The parliament answered Northumberland's expectations. As Tonstal had, in the interval, been deprived of his bishopric, in an arbitrary manner, by the sentence of lay commissioners, appointed to try him, the see of Durham was, by act of parliament, divided into two bishoprics, which had certain portions of the revenue assigned them. The regalities of the see, which included the jurisdiction of a count palatine, were given by the king to Northumberland; nor is it to be doubted, but that nobleman had also purposed to make rich plunder of the revenue, as was then usual, with the courtiers, whenever a bishopric became vacant.

The commons gave the ministry another mark of attachment, which was, at that time, the most sincere of any, the most cordial, and the most difficult to be obtained: they granted a supply of two subsidies, and two fifteenths. To render this present the more acceptable, they voted a preamble, containing a long accusation of Somerset, "for involving the king in wars, wasting his treasure, engaging him in much debt, embasing the coin, and giving occasion for a most terrible rebellion."<sup>2</sup>

<sup>1</sup> Strype's Ecclesiastical Memorials. vol. ii. p. 394.    <sup>2</sup> 7 Edw. VI. cap. 12.

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The debts of the crown were at this time considerable. The king had received from France four hundred thousand crowns, on delivering Boulogne; he had reaped profit from the sale of some chantry lands; the churches had been spoiled of all the plate and rich ornaments, which, by a decree of council, without any pretence of law and equity, had been converted to the king's use:<sup>1</sup> yet such had been the rapacity of the courtiers, that the crown owed about three hundred thousand pounds;<sup>2</sup> and great dilapidations were, at the same time, made of the royal demesnes. The young prince showed, among other virtues, a disposition to frugality, which, had he lived, would soon have retrieved these losses: but as his health was declining very fast, the present emptiness of the exchequer was a sensible obstacle to the execution of those projects, which the ambition of Northumberland had founded on the prospect of Edward's approaching end.

That nobleman represented to the prince, whom youth and an infirm state of health made susceptible of any impression, that his two sisters, Mary and Elizabeth, had both of them been declared illegitimate by act of parliament; and though Henry, by his will, had restored them to a place in the succession, the nation would never submit to see the throne of England filled by a bastard: that they were the king's sisters by the half blood only; and, even if they were legitimate, could not enjoy the crown, as his heirs and successors: that the queen of Scots stood excluded by the late king's will, and being an alien, had lost by law all right of inheriting; not to mention, that as she was betrothed to the dauphin, she would, by her succession, render England, as she had already done Scotland, a province to France: that the certain consequence of his sister Mary's succession, or that of the queen of Scots, was the abolition of the protestant religion, and the repeal of the laws enacted in favour of the reformation, and the re-establishment of the usurpation and idolatry of the church of Rome: that, fortunately for England, the same order of succession which justice required was also the most conformable to public interest; and there was not, on any side, any just ground for doubt or deliberation: that when these three princesses were excluded by such solid reasons, the succession devolved on the marchioness of Dorset, elder daughter of the French queen, and the duke of Suffolk: that the next heir of the marchioness was the lady Jane Gray, a lady of the most amiable character, accomplished by the best education, both in literature and religion, and every way worthy of a crown; and that even if her title, by blood, were doubtful, which there was no just reason to pretend, the king was possessed of the same power that his father enjoyed, and might leave her the crown by letters patent. These reasonings made impression on the young prince; and, above all, his zealous attachment to the protestant religion, made

Succession  
changed.

<sup>1</sup> Heylin, p. 95, 132. <sup>2</sup> Strype's Ecclesiastical Memorials, vol. ii. p. 344.

CHAP. him apprehend the consequences, if so bigoted a catholic as his  
 XXXV. sister Mary should succeed to the throne. And though he bore  
 a tender affection to the lady Elizabeth, who was liable to no such  
 1553. objection, means were found to persuade him that he could not  
 exclude the one sister, on account of illegitimacy, without giving  
 also an exclusion to the other.

Northumberland, finding that his arguments were likely to operate on the king, began to prepare the other parts of his scheme. Two sons of the duke of Suffolk, by a second venter, having died this season of the sweating sickness, that title was extinct, and Northumberland engaged the king to bestow it on the marquis of Dorset. By means of this favour and of others which he conferred upon him, he persuaded the new duke of Suffolk and the dutchess to give their daughter, the lady Jane, in marriage to his fourth son, the lord Guilford Dudley. In order to fortify himself by farther alliances, he negotiated a marriage between the lady Catharine Gray, second daughter of Suffolk, and lord Herbert, eldest son of the earl of Pembroke. He also married his own daughter to lord Hastings, eldest son of the earl of Huntingdon.<sup>1</sup> These marriages were solemnized with great pomp and festivity; and the people, who hated Northumberland, could not forbear expressing their indignation at seeing such public demonstrations of joy, during the languishing state of the young prince's health.

The king's  
 sickness,

Edward had been seized, in the foregoing year, first with the measles, then with the small-pox; but, having perfectly recovered from both these distempers, the nation entertained hopes that they would only serve to confirm his health; and he had afterwards made a progress through some parts of the kingdom. It was suspected that he had there overheated himself in exercise: he was seized with a cough, which proved obstinate, and gave way neither to regimen nor medicines: several fatal symptoms of a consumption appeared; and though it was hoped that, as the season advanced, his youth and temperance might get the better of the malady, men saw with great concern his bloom and vigour insensibly decay. The general attachment to the young prince, joined to the hatred borne the Dudleys, made it be remarked, that Edward had every moment declined in health, from the time that lord Robert Dudley had been put about him, in quality of gentleman of the bed-chamber.

The languishing state of Edward's health made Northumberland the more intent on the execution of his project. He removed all except his own emissaries from about the king; he himself attended him with the greatest assiduity: he pretended the most anxious concern for his health and welfare; and, by all these artifices he prevailed on the young prince to give his final consent to the settlement projected. Sir Edward Montague, chief justice of the common pleas, Sir John Baker, and Sir Thomas

<sup>1</sup> Heylin, p. 199. Stowe, p. 609.



Bromley, two judges, with the attorney and solicitor-general, were summoned to the council; where, after the minutes of the intended deed were read to them, the king required them to draw them up, in the form of letters patent. They hesitated to obey, and desired time to consider of it. The more they reflected the greater danger they found in compliance. The settlement of the crown by Henry VIII. had been made in consequence of an act of parliament, and by another act, passed in the beginning of this reign, it was declared treason in any of the heirs, their aiders or abettors, to attempt on the right of another, or change the order of succession. The judges pleaded these reasons before the council. They urged that such a patent as was intended would be entirely invalid; that it would subject not only the judges who drew it, but every counsellor who signed it, to the pains of treason: and that the only proper expedient, both for giving sanction to the new settlement, and freeing its partisans from danger, was to summon a parliament, and to obtain the consent of that assembly. The king said that he intended afterwards to follow that method, and would call a parliament, in which he purposed to have his settlement ratified; but in the mean time he required the judges, on their allegiance, to draw the patent in the form required. The council told the judges that their refusal would subject all of them to the pains of treason. Northumberland gave to Montague the appellation of traitor; and said that he would, in his shirt, fight any man in so just a cause as that of lady Jane's succession. The judges were reduced to great difficulties between the dangers from the law and those which arose from the violence of present power and authority.<sup>1</sup>

The arguments were canvassed in several different meetings between the council and the judges: and no solution could be found of the difficulties. At last Montague proposed an expedient which satisfied both his brethren and the counsellors. He desired that a special commission should be passed by the king and council, requiring the judges to draw a patent for the new settlement of the crown, and that a pardon should immediately after be granted them, for any offence which they might have incurred by their compliance. When the patent was drawn and brought to the bishop of Ely, chancellor, in order to have the great seal affixed to it, this prelate required, that all the judges should previously sign it. Gosnald at first refused, and it was with much difficulty that he was prevailed on, by the violent menaces of Northumberland, to comply; but the constancy of Sir James Hales, who, though a zealous protestant, preferred justice, on this occasion, to the prejudices of his party, could not be shaken by any expedient. The chancellor next required, for his greater security, that all the privy counsellors should set their hands to the patent: the intrigues of Northum-

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<sup>1</sup> Fuller, book viii. p. 2.

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21st June.

berland, or the fears of his violence, were so prevalent, that the counsellors complied with this demand. Cranmer alone hesitated, during some time, but at last yielded to the earnest and pathetic entreaties of the king.<sup>1</sup> Cecil, at that time secretary of state, pretended afterwards, that he only signed as witness to the king's subscription. And thus, by the king's letters patent, the two princesses, Mary and Elizabeth, were set aside: and the crown was settled on the heirs of the dutchess of Suffolk: for the dutchess herself was content to give place to her daughters.

After this settlement was made with so many inauspicious circumstances, Edward visibly declined every day, and small hopes were entertained of his recovery. To make matters worse, his physicians were dismissed, by Northumberland's advice and by an order of council; and he was put into the hands of an ignorant woman, who undertook in a little time to restore him to his former state of health. After the use of her medicines, all the bad symptoms increased to the most violent degree: he felt a difficulty of speech and breathing; his pulse failed, his legs swelled, his colour became livid, and many other symptoms appeared of his approaching end. He expired at Greenwich, in the sixteenth year of his age, and the seventh of his reign.

and death.  
6th July.

All the English historians dwell with pleasure on the excellent qualities of this young prince, whom the flattering promises of hope, joined to many real virtues, had made an object of tender affection to the public. He possessed mildness of disposition, application to study and business, a capacity to learn and judge, and an attachment to equity and justice. He seems only to have contracted from his education, and from the genius of the age in which he lived, too much of a narrow prepossession in matters of religion, which made him incline somewhat to bigotry and persecution: but as the bigotry of protestants, less governed by priests, lies under more restraints than that of catholics, the effects of this malignant quality were the less to be apprehended if a longer life had been granted to young Edward.

<sup>1</sup> Cranm. Mem. p. 295.

## CHAPTER XXXVI.

## MARY.

Lady Jane Gray proclaimed Queen—Deserted by the People—The Queen proclaimed and acknowledged—Northumberland executed—Catholic Religion restored—A Parliament—Deliberations with regard to the Queen's Marriage—Queen's Marriage with Philip—Wiat's Insurrection—Suppressed—Execution of lady Jane Gray—A Parliament—Philip's arrival in England.

THE title of the princess Mary, after the demise of her brother, was not exposed to any considerable difficulty; and the objections started by the lady Jane's partisans were new and unheard of by the nation. Though all the protestants, and even many of the catholics, believed the marriage of Henry VIII. with Catharine of Arragon to be unlawful and invalid; yet, as it had been contracted by the parties, without any criminal intention, had been avowed by their parents, recognised by the nation, and seemingly founded on those principles of law and religion which then prevailed, few imagined that their issue ought, on that account, to be regarded as illegitimate. A declaration to that purpose had, indeed, been extorted from parliament, by the usual violence and caprice of Henry; but as that monarch had afterwards been induced to restore his daughter to the right of succession, her title was now become as legal and parliamentary as it was ever esteemed just and natural. The public had long been familiarized to these sentiments: during all the reign of Edward, the princess was regarded as his lawful successor: and though the protestants dreaded the effects of her prejudices, the extreme hatred, universally entertained against the Dudleys,<sup>1</sup> who men foresaw would, under the name of Jane, be the real sovereigns, was more than sufficient to counterbalance, even with that party, the attachment to religion. This last attempt to violate the order of succession had displayed Northumberland's ambition and injustice in a full light; and when the people reflected on the long train of fraud, iniquity and cruelty, by which that project had been conducted; that the lives of the two Seymours, as well as the title of the princesses, had been sacrificed to it; they were moved by indignation to exert themselves in opposition to such criminal enterprises. The general veneration, also, paid to the memory of Henry VIII. prompted the nation to defend the rights of his posterity; and the miseries of the ancient civil wars were not so entirely forgotten, that men were willing, by a departure from the lawful heir, to incur the danger of like bloodshed and confusion.

Northumberland, sensible of the opposition which he must

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<sup>1</sup> Sleidan, lib. 25.

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expect, had carefully concealed the destination made by the king; and in order to bring the two princesses into his power, he had had the precaution to engage the council, before Edward's death, to write to them, in that prince's name, desiring their attendance, on pretence that his infirm state of health required the assistance of their counsel, and the consolation of their company.<sup>1</sup> Edward expired before their arrival; but Northumberland, in order to make the princesses fall into the snare, kept the king's death still secret; and the lady Mary had already reached Hoddlesden, within half a day's journey of the court. Happily, the earl of Arundel sent her private intelligence, both of her brother's death, and of the conspiracy formed against her:<sup>2</sup> she immediately made haste to retire; and she arrived, by quick journeys, first at Kenninghall, in Norfolk, then at Framlingham, in Suffolk; where she purposed to embark and escape to Flanders, in case she should find it impossible to defend her right of succession. She wrote letters to the nobility and most considerable gentry in every county in England, commanding them to assist her, in the defence of her crown and person. And she despatched a message to the council, by which she notified to them, that her brother's death was no longer a secret to her, promised them pardon for past offences, and required them immediately to give orders for proclaiming her in London.<sup>3</sup>

Lady Jane  
Gray pro-  
claimed  
queen.

Northumberland found, that farther dissimulation was fruitless: he went to Sionhouse,<sup>4</sup> accompanied by the duke of Suffolk, the earl of Pembroke, and others of the nobility; and he approached the lady Jane, who resided there, with all the respect usually paid to the sovereign. Jane was in a great measure ignorant of these transactions; and it was with equal grief and surprise, that she received intelligence of them.<sup>5</sup> She was a lady of an amiable person, an engaging disposition, accomplished parts; and being of an equal age with the late king, she had received all her education with him, and seemed even to possess greater facility in acquiring every part of manly and polite literature. She had attained a familiar knowledge of the Roman and Greek languages, besides modern tongues; had passed most of her time in an application to learning; and expressed a great indifference for other occupations and amusements, usual to her sex and station. Roger Ascham, tutor to the lady Elizabeth, having one day paid her a visit, found her employed in reading Plato, while the rest of the family were engaged in a party of hunting, in the park; and on his admiring the singularity of her choice, she told him, that she received more pleasure from that author, than the others could reap from all their sport and gaiety.<sup>6</sup> Her heart, full of this passion for literature,

<sup>1</sup> Heylin, p. 154. <sup>2</sup> Burnet, vol. ii. p. 233. <sup>3</sup> Fox, vol. iii. p. 14. <sup>4</sup> Thuanus, lib. xiii. c. 10. <sup>5</sup> Godwin in Kennet, p. 329. Heylin, p. 149. Burnet, vol. ii. p. 234. <sup>6</sup> Ascham's Works, p. 222, 223.



and the elegant arts, and of tenderness towards her husband, who was deserving of her affections, had never opened itself to the flattering allurements of ambition; and the intelligence of her elevation to the throne was nowise agreeable to her. She even refused to accept of the present; pleaded the preferable title of the two princesses; expressed her dread of the consequences attending an enterprise so dangerous, not to say so criminal; and desired to remain in the private station in which she was born. Overcome, at last, by the entreaties, rather than the reasons of her father and father-in-law, and, above all, of her husband, she submitted to their will, and was prevailed on to relinquish her own judgment. It was then usual for the kings of England, after their accession, to pass the first days in the Tower; and Northumberland immediately conveyed thither the new sovereign. All the counsellors were obliged to attend her to that fortress; and, by this means, became, in reality, prisoners in the hands of Northumberland, whose will they were necessitated to obey. Orders were given by the council, to proclaim Jane throughout the kingdom; but these orders were executed only in London, and the neighbourhood. No applause ensued: the people heard the proclamation with silence and concern: some even expressed their scorn and contempt; and one Pot, a vintner's apprentice, was severely punished for this offence. The protestant teachers, themselves, who were employed to convince the people of Jane's title, found their eloquence fruitless; and Ridley, bishop of London, who preached a sermon to that purpose, wrought no effect upon his audience.

The people of Suffolk, meanwhile, paid their attendance on Mary. As they were much attached to the reformed communion, they could not forbear, amidst their tenders of duty, expressing apprehensions for their religion; but, when she assured them, that she never meant to change the laws of Edward, they enlisted themselves in her cause, with zeal and affection. The nobility and gentry daily flocked to her, and brought her reinforcements. The earls of Bath and Sussex, the eldest sons of lord Wharton and lord Mordaunt, Sir William Drury, Sir Henry Benningfield, Sir Henry Jernegan, persons, whose interest lay in that neighbourhood, appeared at the head of their tenants and retainers.<sup>1</sup> Sir Edward Hastings, brother to the earl of Huntingdon, having received a commission from the council to make levies for the lady Jane in Buckinghamshire, carried over his troops, which amounted to four thousand men, and joined Mary. Even a fleet, which had been sent by Northumberland to lie off the coast of Suffolk, being forced into Yarmouth by a storm, was engaged to declare for that princess.

Northumberland, hitherto blinded by ambition, saw, at last, the danger gather round him, and knew not to what hand to turn

<sup>1</sup> Heylin, p. 160. Burnet, vol. ii. p. 237.

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himself. He had levied forces, which were assembled at London; but dreading the cabals of the courtiers and counsellors, whose compliance he knew had been entirely the result of fear or artifice, he was resolved to keep near the person of the lady Jane, and send Suffolk to command the army. But the counsellors, who wished to remove him,<sup>1</sup> working on the filial tenderness of Jane, magnified to her the danger to which her father would be exposed; and represented, that Northumberland, who had gained reputation, by formerly suppressing a rebellion in those parts, was more proper to command in that enterprise. The duke himself, who knew the slender capacity of Suffolk, began to think that none but himself was able to encounter the present danger; and he agreed to take on him the command of the troops. The counsellors attended on him at his departure, with the highest protestations of attachment, and none more than Arundel, his mortal enemy.<sup>2</sup> As he went along, he remarked the disaffection of the people, which foreboded a fatal issue to his ambitious hopes. "Many," said he, to lord Gray, "come out to look at us, but I find not one who cries, *God speed you*."<sup>3</sup>

Lady Jane  
deserted  
by the  
people.

The duke had no sooner reached St. Edmundsbury, than he found his army, which did not exceed six thousand men, too weak to encounter the queen's,<sup>4</sup> which amounted to double the number. He wrote to the council, desiring them to send him a reinforcement; and the counsellors immediately laid hold of the opportunity to free themselves from confinement. They left the Tower, as if they meant to execute Northumberland's commands; but, being assembled in Baynard's castle, a house belonging to Pembroke, they deliberated concerning the method of shaking off his usurped tyranny. Arundel began the conference, by representing the injustice and cruelty of Northumberland, the exorbitancy of his ambition, the criminal enterprise which he had projected, and the guilt in which he had involved the whole council; and he affirmed, that the only method of making atonement for their past offences, was by a speedy return to the duty which they owed to their lawful sovereign.<sup>5</sup> This motion was seconded by Pembroke, who, clapping his hand to his sword, swore he was ready to fight any man that expressed himself of a contrary sentiment. The mayor and aldermen of London were immediately sent for, who discovered great alacrity in obeying the orders they received to proclaim Mary. The people expressed their approbation by shouts of applause. Even Suffolk, who commanded in the Tower, finding resistance fruitless, opened the gates, and declared for the queen. The lady Jane, after the vain pageantry of wearing a crown during ten days, returned to a private life with more satisfaction than she felt when the royalty was tendered to

<sup>1</sup> Godwin, p. 330. Heylin, p. 159. Burnet, vol. ii. p. 239. Fox, vol. iii. p. 15. <sup>2</sup> Heylin, p. 161. Baker, p. 315. Holingshed, p. 1086. <sup>3</sup> Speed, p. 816. <sup>4</sup> Godwin, p. 331. <sup>5</sup> Ibid. p. 331, 332. Thuanus, lib. xiii.

her:<sup>1</sup> and the messengers who were sent to Northumberland with orders to lay down his arms, found that he had despaired of success, was deserted by all his followers, and had already proclaimed the queen, with exterior marks of joy and satisfaction.<sup>2</sup> The people, every where, on the queen's approach to London, gave sensible expressions of their loyalty and attachment. The lady Elizabeth met her at the head of a thousand horse, which that princess had levied, in order to support their joint title against the usurper.<sup>3</sup>

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The queen proclaimed and acknowledged.

The queen gave orders for taking into custody the duke of Northumberland, who fell on his knees to the earl of Arundel, that arrested him, and abjectly begged his life.<sup>4</sup> At the same time were committed the earl of Warwick, his eldest son, lord Ambrose and lord Henry Dudley, two of his younger sons, Sir Andrew Dudley, his brother, the marquis of Northampton, the earl of Huntingdon, Sir Thomas Palmer, and Sir John Gates. The queen afterwards confined the duke of Suffolk, lady Jane Gray, and lord Guilford Dudley. But Mary was desirous, in the beginning of her reign, to acquire popularity, by the appearance of clemency; and, because the counsellors pleaded constraint as an excuse for their treason, she extended her pardon to most of them. Suffolk himself recovered his liberty; and he owed this indulgence, in a great measure, to the contempt entertained of his capacity. But the guilt of Northumberland was too great, as well as his ambition and courage too dangerous, to permit him to entertain any reasonable hopes of life. When brought to his trial, he only desired permission to ask two questions of the peers, appointed to sit on his jury: whether a man could be guilty of treason, that obeyed orders given him by the council, under the great seal? and whether those, who were involved in the same guilt with himself, could sit as his judges? Being told that the great seal of an usurper was no authority, and that persons, not lying under any sentence of attainder, were still innocent in the eye of the law, and might be admitted on any jury, he acquiesced, and pleaded guilty. At his execution, he made profession of the catholic religion, and told the people that they never would enjoy tranquillity, till they returned to the faith of their ancestors; whether such were his real sentiments, which he had formerly disguised from interest and ambition, or that he hoped, by this declaration, to render the queen more favourable to his family.<sup>6</sup> Sir Thomas Palmer and Sir John Gates suffered with him; and this was all the blood spilled on account of so dangerous and criminal an enterprise against the rights of the sovereign. Sentence was pronounced against the lady Jane and lord Guilford;

22d. Aug.  
Northumberland  
executed.

<sup>1</sup> Godwin, p. 332. Thuanus, lib. xiii. c. 2. <sup>2</sup> Stowe, p. 612. <sup>3</sup> Burnet, vol. ii. p. 240. Heylin, p. 19. Stowe, p. 613. <sup>4</sup> Burnet, vol. ii. p. 239. Stowe, p. 612. Baker, p. 315. Holingshed, p. 1088. <sup>5</sup> Burnet, vol. ii. p. 243. Heylin, p. 18. Baker, p. 316. Holingshed, p. 1089. <sup>6</sup> Heylin, p. 19. Burnet, vol. iii. p. 243. Stowe, p. 614.



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but without any present intention of putting it in execution. The youth and innocence of the persons, neither of whom had reached their seventeenth year, pleaded sufficiently in their favour.

When Mary first arrived in the Tower, the duke of Norfolk, who had been detained prisoner during all the last reign; Courtney, son of the marquis of Exeter, who, without being charged with any crime, had been subjected to the same punishment, ever since his father's attainder; Gardiner, Tonsal, and Bonner, who had been confined for their adhering to the catholic cause, appeared before her, and implored her clemency and protection.<sup>1</sup> They were all of them restored to their liberty, and immediately admitted to her confidence and favour. Norfolk's attainder, notwithstanding that it had passed in parliament, was represented as null and invalid; because, among other informalities, no special matter had been alleged against him, except wearing a coat of arms, which he and his ancestors, without giving any offence, had always made use of in the face of the court and of the whole nation. Courtney, soon after, received the title of earl of Devonshire; and, though educated in such close confinement, that he was altogether unacquainted with the world, he soon acquired all the accomplishments of a courtier and a gentleman, and made a considerable figure during the few years which he lived, after he recovered his liberty.<sup>2</sup> Besides performing all these popular acts, which, though they only affected individuals, were very acceptable to the nation, the queen endeavoured to ingratiate herself with the public by granting a general pardon, though with some exceptions, and by remitting the subsidy voted to her brother, by the last parliament.<sup>3</sup>

The joy arising from the succession of the lawful heir, and from the gracious demeanour of the sovereign, hindered not the people from being agitated with great anxiety, concerning the state of religion; and, as the bulk of the nation inclined to the protestant communion, the apprehensions entertained concerning the principles and prejudices of the new queen were pretty general. The legitimacy of Mary's birth had appeared to be somewhat connected with the papal authority; and that princess being educated with her mother, had imbibed the strongest attachment to the catholic communion, and the highest aversion to those new tenets, whence she believed all the misfortunes of her family had originally sprung. The discouragements which she lay under from her father, though, at last, they brought her to comply with his will, tended still more to increase her disgust of the reformers; and the vexations which the protector and council gave her during Edward's reign, had no other effect, than to confirm her farther in her prejudices. Naturally of a sour and obstinate temper, and irritated by contradiction and misfortunes, she pos-

<sup>1</sup> Heylin, p. 20. Stowe, p. 613. Holingshed, p. 1088. <sup>2</sup> Depeches de Noailles, vol. ii. p. 246, 247. <sup>3</sup> Stowe, p. 616.



sessed all the qualities fitted to compose a bigot; and her extreme ignorance rendered her utterly incapable of doubt in her own belief, or of indulgence to the opinions of others. The nation, therefore, had great reason to dread, not only the abolition, but the persecution of the established religion, from the zeal of Mary; and it was not long ere she discovered her intentions.

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Gardiner, Bonner, Tonstal, Day, Heath, and Vesey, were reinstated in their sees, either by a direct act of power, or, what is nearly the same, by the sentence of commissioners, appointed to review their trial and condemnation. Though the bishopric of Durham had been dissolved by authority of parliament, the queen erected it anew by letters patent, and replaced Tonstal in his regalities, as well as his revenue. On pretence of discouraging controversy, she silenced, by an act of prerogative, all the preachers throughout England, except such as should obtain a particular license; and it was easy to foresee, that none but the catholics would be favoured with this privilege. Holgate, archbishop of York, Coverdale, bishop of Exeter, Ridley, of London, and Hooper, of Gloucester, were thrown into prison; whither old Latimer, also, was sent soon after. The zealous bishops and priests were encouraged in their forwardness to revive the mass, though contrary to the present laws. Judge Hales, who had discovered such constancy in defending the queen's title, lost all his merit by an opposition to these illegal practices; and, being committed to custody, was treated with such severity, that he fell into frenzy, and killed himself. The men of Suffolk were brow-beaten, because they presumed to plead the promise which the queen, when they enlisted themselves in her service, had given them, of maintaining the reformed religion: one, in particular, was set in the pillory, because he had been too peremptory, in recalling to her memory the engagements which she had taken on that occasion; and though the queen still promised, in a public declaration before the council, to tolerate those who differed from her, men foresaw, that this engagement, like the former, would prove but a feeble security, when set in opposition to religious prejudices.

Catholic  
religion  
restored.

The merits of Cranmer towards the queen, during the reign of Henry, had been considerable; and he had successfully employed his good offices, in mitigating the severe prejudices, which that monarch had entertained against her. But the active part which he had borne in promoting her mother's divorce, as well as in conducting the reformation, had made him the object of her hatred; and though Gardiner had been equally forward in soliciting and defending the divorce, he had, afterwards, made sufficient atonement by his sufferings in defence of the catholic cause. The primate, therefore, had reason to expect little favour during the present reign; but it was by his own indiscreet zeal, that he brought on himself the first violence and persecution. A report being spread that Cranmer, in order to pay court to the

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queen, had promised to officiate in the Latin service, the archbishop, to wipe of this aspersion, published a manifesto in his own defence. Among other expressions, he there said, that as the devil was a liar from the beginning, and the father of lies, he had, at this time, stirred up his servants to persecute Christ and his true religion: that this infernal spirit now endeavoured to restore the Latin satisfactory masses, a thing of his own invention and device; and, in order to effect his purpose, had falsely made use of Cranmer's name and authority: and, that the mass is not only without foundation, either in the Scriptures, or in the practice of the primitive church, but likewise discovers a plain contradiction to antiquity and the inspired writings, and is, besides, replete with many horrid blasphemies.<sup>1</sup> On the publication of this inflammatory paper, Cranmer was thrown into prison, and was tried for the part which he had acted, in concurring with the lady Jane, and opposing the queen's accession. Sentence of high treason was pronounced against him; and, though his guilt was shared with the whole privy council, and was even less than that of the greater part of them, this sentence, however severe, must be allowed entirely legal. The execution of it, however, did not follow, and Cranmer was reserved for a more cruel punishment.

Peter Martyr, seeing a persecution gathering against the reformers, desired leave to withdraw:<sup>2</sup> and while some zealous catholics moved for his commitment, Gardiner both pleaded that he had come over by an invitation from the government, and generously furnished him with supplies for his journey: but, as bigoted zeal still increased, his wife's body, which had been interred at Oxford, was afterwards dug up by public orders, and buried in a dunghill.<sup>3</sup> The bones of Bucer and Fagius, two foreign reformers, were, about the same time, committed to the flames at Cambridge.<sup>4</sup> John à Lasco was first silenced, then ordered to depart the kingdom with his congregation. The greater part of the foreign protestants followed him; and the nation thereby lost many useful hands for arts and manufactures. Several English protestants, also, took shelter in foreign parts; and every thing bore a dismal aspect for the reformation.

5th Oct.  
A parliament.

During this revolution of the court, no protection was expected by protestants from the parliament which was summoned to assemble. A zealous reformer pretends, that great violence and iniquity were used in the elections; but, besides that the authority of this writer is inconsiderable, that practice, as the necessities of government seldom required it, had not hitherto been often employed in England. There still remained such numbers

<sup>1</sup> Fox, vol. iii. p. 94. Heylin, p. 25. Godwin, p. 336. Burnet, vol. ii. Col. No. 8. Cranm. Mem. p. 305. Thuanus, lib. xiii. c. 3. <sup>2</sup> Heylin, p. 26. Gydwyn, p. 336. Cranm. Mem. p. 317. <sup>3</sup> Heylin, p. 26. <sup>4</sup> Saunders de Schism. Anglic. <sup>5</sup> Beale. But Fox, who lived at the time, and is very minute in his narratives, says nothing of the matter. See vol. iii. p. 16.

devoted, by opinion or affection, to many principles of the ancient religion, that the authority of the crown was able to give such candidates the preference in most elections; and all those who hesitated to comply with the court religion, rather declined taking a seat, which, while it rendered them obnoxious to the queen, could afterwards afford them no protection against the violence of prerogative. It soon appeared, therefore, that a majority of the commons would be obsequious to Mary's designs; and as the peers were mostly attached to the court, from interest or expectations, little opposition was expected from that quarter.

In opening the parliament, the court showed a contempt of the laws, by celebrating, before the two houses, a mass of the Holy Ghost in the Latin tongue, attended with all the ancient rites and ceremonies, though abolished by act of parliament.<sup>1</sup> Taylor, bishop of Lincoln, having refused to kneel at this service, was severely handled, and was violently thrust out of the house.<sup>2</sup> The queen, however, still retained the title of supreme head of the church of England; and, it was generally pretended, that the intention of the court was only to restore religion to the same condition in which it had been left by Henry; but, that the other abuses of popery, which were the most grievous to the nation, would never be revived.

The first bill passed by the parliament was of a popular nature, and abolished every species of treason not contained in the statute of Edward III., and every species of felony that did not subsist before the first of Henry VIII.<sup>3</sup> The parliament next declared the queen to be legitimate, ratified the marriage of Henry with Catharine of Arragon, annulled the divorce pronounced by Cranmer,<sup>4</sup> whom they greatly blamed on that account. No mention, however, is made of the pope's authority, as any ground of the marriage. All the statutes of king Edward, with regard to religion, were repealed by one vote.<sup>5</sup> The attainder of the duke of Norfolk was reversed; and this act of justice, was more reasonable than the declaring of that attainder invalid, without farther authority. Many clauses of the riot act, passed in the late reign, were revived: a step which eluded, in a great measure, the popular statute enacted at the first meeting of parliament.

Notwithstanding the compliance of the two houses with the queen's inclinations, they had still a reserve in certain articles; and her choice of a husband, in particular, was of such importance to national interest, that they were determined not to submit tamely, in that respect, to her will and pleasure. There were three marriages,<sup>6</sup> concerning which it was supposed that Mary had deliberated after her accession. The first person pro-

<sup>1</sup> Fox, vol. iii. p. 19. <sup>2</sup> Burnet, vol. ii. p. 252. <sup>3</sup> Maria, sess. 1, c. 1. By this repeal, though it was in general popular, the clause of 5 and 6 Edw. VI. c. 11. was lost, which required the confronting of two witnesses, in order to prove any treason. <sup>4</sup> Maria, sess. 2, c. 1. <sup>5</sup> 1 Maria, sess. 2, c. 1. <sup>6</sup> Thuan. lib. ii. c. 3.



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posed to her was Courtney, earl of Devonshire, who, being an Englishman, nearly allied to the crown, could not fail of being acceptable to the nation; and, as he was of an engaging person and address, he had visibly gained on the queen's affections,<sup>1</sup> and hints were dropped him of her favourable dispositions towards him.<sup>2</sup> But that nobleman neglected these overtures, and seemed rather to attach himself to the lady Elizabeth, whose youth, and agreeable conversation, he preferred to all the power and grandeur of her sister. This choice occasioned a great coldness in Mary towards Devonshire; and made her break out in a declared animosity against Elizabeth. The ancient quarrel between their mothers had sunk deep into the malignant heart of the queen; and, after the declaration made by parliament in favour of Catharine's marriage, she wanted not a pretence for representing the birth of her sister as illegitimate. The attachment of Elizabeth to the reformed religion offended Mary's bigotry; and, as the young princess had made some difficulty in disguising her sentiments, violent menaces had been employed to bring her to compliance.<sup>3</sup> But, when the queen found that Elizabeth had obstructed her views in a point, which, perhaps, touched her still more nearly, her resentment, excited by pride, no longer knew any bounds; and the princess was visibly exposed to the greatest danger.<sup>4</sup>

Cardinal Pole, who had never taken priest's order, was another party proposed to the queen; and there appeared many reasons to induce her to make choice of this prelate. The high character of Pole for virtue and humanity; the great regard paid him by the catholic church, of which he had nearly reached the highest dignity, on the death of Paul III.;<sup>5</sup> the queen's affections for the countess of Salisbury, his mother, who had once been her governess; the violent animosity to which he had been exposed on account of his attachment to the Romish communion; all these considerations had a powerful influence on Mary. But the cardinal was now in the decline of life; and having contracted habits of study and retirement, he was represented to her as unqualified for the bustle of a court and the hurry of business.<sup>6</sup> The queen, therefore, dropped all thoughts of that alliance: but, as she entertained a great regard for Pole's wisdom and virtue, she still intended to reap the benefit of his counsel, in the administration of her government. She secretly entered into a negotiation with Commendone, an agent of cardinal Dandino, legate at Brussels: she sent assurances to the pope, then Julius III. of her earnest desire to reconcile herself and her kingdoms to the holy see; and she desired that Pole might be appointed legate for the performance of that pious office.<sup>7</sup>

<sup>1</sup> Depeches de Noailles, vol. ii. p. 147, 163, 214, 215, vol. iii. p. 27. <sup>2</sup> Godwin, p. 339. <sup>3</sup> Dep. de Noailles, vol. ii. passim. <sup>4</sup> Heylin, p. 31. Burnet, vol. ii. p. 255. <sup>5</sup> Father Paul, book 3. <sup>6</sup> Heylin, p. 31. <sup>7</sup> Burnet, vol. ii. p. 258.



These two marriages being rejected, the queen cast her eye towards the emperor's family, from which her mother was descended, and which, during her own distresses, had always afforded her countenance and protection. Charles V. who, a few years before, was almost absolute master of Germany, had exercised his power in such an arbitrary manner, that he gave extreme disgust to the nation, who apprehended the total extinction of their liberties, from the encroachments of that monarch.<sup>1</sup> Religion had served him, as a pretence for his usurpations; and from the same principle he met with that opposition, which overthrew his grandeur, and dashed all his ambitious hopes. Maurice, elector of Saxony, enraged that the landgrave of Hesse, who by his advice, and on his assurances, had put himself into the emperor's hands, should be unjustly detained a prisoner, formed a secret conspiracy among the protestant princes; and, covering his intentions with the most artful disguises, he suddenly marched his forces against Charles, and narrowly missed becoming master of his person. The protestants flew to arms, in every quarter; and their insurrection, aided by an invasion from France, reduced the emperor to such difficulties, that he was obliged to submit to terms of peace, which ensured the independency of Germany. To retrieve his honour he made an attack on France; and laying siege to Mentz, with an army of a hundred thousand men, he conducted the enterprise in person, and seemed determined, at all hazards, to succeed in an undertaking which had fixed the attention of Europe. But the duke of Guise, who defended Mentz, with a garrison composed of the bravest nobility of France, exerted such vigilance, conduct, and valour, that the siege was protracted to the depth of winter; and the emperor found it dangerous to persevere any longer. He retired with the remains of his army into the Low Countries, much dejected with that reverse of fortune, which in his declining years had so fatally overtaken him.

No sooner did Charles hear of the death of Edward, and the accession of his kinswoman, Mary, to the crown of England, than he formed the scheme of acquiring that kingdom to his family; and he hoped, by this incident, to balance all the losses which he had sustained in Germany. His son, Philip, was a widower; and though he was only twenty-seven years of age, eleven years younger than the queen, this objection, it was thought, would be overlooked, and there was no reason to despair of her still having a numerous issue. The emperor therefore immediately sent over an agent, to signify his intentions to Mary, who, pleased with the support of so powerful an alliance, and glad to unite herself more closely with her mother's family, to which she was ever strongly attached, readily embraced the proposal. Norfolk, Arundel, and Paget, gave their advice for the match: and Gardiner, who was become prime minister, and who had been pro-

<sup>1</sup> Thuanus, lib. iv. c. 17.

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moted to the office of chancellor, finding how Mary's inclinations lay, seconded the project of the Spanish alliance. At the same time he represented both to her and the emperor the necessity of stopping all farther innovations in religion, till the completion of the marriage. He observed, that the parliament, amidst all their compliances, had discovered evident symptoms of jealousy, and seemed at present determined to grant no farther concessions in favour of the catholic religion: that though they might make a sacrifice to their sovereign of some speculative principles which they did not well comprehend, or of some rites which seemed not of any great moment, they had imbibed such strong prejudices against the pretended usurpations and exactions of the court of Rome, that they would, with great difficulty, be again brought to submit to its authority: that the danger of resuming the abbey lands would alarm the nobility and gentry, and induce them to encourage the prepossessions, which were but too general among the people, against the doctrine and worship of the catholic church: that much pains had been taken to prejudice the nation against the Spanish alliance; and, if that point were urged, at the same time, with farther changes in religion, it would hazard a general revolt and insurrection: that the marriage, being once completed, would give authority to the queen's measures, and enable her, afterwards, to forward the pious work in which she was engaged: and, that it was even necessary, previously, to reconcile the people to the marriage, by rendering the conditions extremely favourable to the English, and such as would seem to ensure their independency, and the entire possession of their ancient laws and privileges.<sup>1</sup>

The emperor, well acquainted with the prudence and experience of Gardiner, assented to all these reasons; and he endeavoured to temper the zeal of Mary, by representing the necessity of proceeding gradually, in the great work of converting the nation. Hearing that cardinal Pole, more sincere in his religious opinions, and less guided by the maxims of human policy, after having sent contrary advice to the queen, had set out on his journey to England, where he was to exercise his legatine commission, he thought proper to stop him at Dillinghen, a town on the Danube; and he afterwards obtained Mary's consent for this detention. The negotiation for the marriage, meanwhile, proceeded apace; and Mary's intentions of espousing Philip became generally known to the nation. The commons, who hoped they had gained the queen, by the concessions which they had already made, were alarmed to hear, that she was resolved to contract a foreign alliance; and they sent a committee to remonstrate, in strong terms, against that dangerous measure. To prevent farther applications of the same kind, she thought proper to dissolve the parliament.

A convocation had been summoned, at the same time, with the parliament; and the majority here, also, appeared to be of

<sup>1</sup> Burnet, vol. ii. p. 261.

the court religion. An offer was very frankly made, by the Romanists, to dispute, concerning the points controverted between the two communions; and, as transubstantiation was the article which, of all others, they deemed the clearest, and founded on the most irresistible arguments, they chose to try their strength, by defending it. The protestants pushed the dispute, as far as the clamour and noise of their antagonists would permit; and they fondly imagined, that they had obtained some advantage, when, in the course of the debate, they obliged the catholics to avow, that, according to their doctrine, Christ had, in his last supper, held himself in his hand, and had swallowed and eaten himself.<sup>1</sup> This triumph, however, was confined only to their own party: the Romanists maintained, that *their* champions had clearly the better of the day; that their adversaries were blind and obstinate heretics; that nothing, but the most extreme depravity of heart, could induce men to contest such self-evident principles; and that the severest punishments were due to their perverse wickedness. So pleased were they, with the superiority in this favourite point, that they soon after renewed the dispute, at Oxford: and to show that they feared no force of learning or abilities, where reason was so evidently on their side, they sent thither Cranmer, Latimer and Ridley, under a guard, to try whether these renowned controversialists could find any appearance of argument, to defend their baffled principles.<sup>2</sup> The issue of the debate was very different from what it appeared to be a few years before, in a famous conference, held at the same place, during the reign of Edward.

After the parliament and convocation were dismissed, the new laws, with regard to religion, though they had been anticipated, in most places, by the zeal of the catholics, countenanced by government, were still more openly put in execution: the mass was every where re-established; and marriage was declared to be incompatible with any spiritual office. It has been asserted, by some writers, that three-fourths of the clergy were, at this time, deprived of their livings; though other historians, more accurate,<sup>3</sup> have estimated the number of sufferers to be far short of this proportion. A visitation was appointed, in order to restore, more perfectly, the mass and the ancient rites. Among other articles, the commissioners were enjoined to forbid the oath of supremacy to be taken by the clergy, on their receiving any benefice.<sup>4</sup> It is to be observed, that this oath had been established by the laws of Henry VIII. which were still in force.

This violent and sudden change of religion inspired the protestants with great discontent; and even affected indifferent spectators with concern, by the hardships to which so many individuals were on that account exposed. But the Spanish match was a point of more general concern, and diffused universal ap-

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Queen's  
marriage  
with  
Philip.

<sup>1</sup> Collier, vol. ii. p. 356. Fox, vol. iii. p. 22. <sup>2</sup> Mem. Cranm. p. 354. Heylin, p. 50. <sup>3</sup> Harmer, p. 138. <sup>4</sup> Collier, vol. ii. p. 364. Fox, vol. iii. p. 38. Heylin, p. 35. Sleidan, lib. 25.

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prehensions for the liberty and independence of the nation. To obviate all clamour, the articles of marriage were drawn as favourable as possible for the interest and security, and even grandeur of England. It was agreed, that though Philip should have the title of king, the administration should be entirely in the queen; that no foreigner should be capable of enjoying any office in the kingdom; that no innovation should be made, in the English laws, customs, and privileges; that Philip should not carry the queen abroad, without her consent, nor any of her children, without the consent of the nobility; that sixty thousand pounds a year should be settled, as her jointure; that the male issue of this marriage should inherit, together with England, both Burgundy and the Low countries; and that, if Don Carlos, Philip's son by his former marriage, should die, and his line be extinct, the queen's issue, whether male or female, should inherit Spain, Sicily, Milan, and all the other dominions of Philip.<sup>1</sup> Such was the treaty of marriage, signed by count Egmont, and three other ambassadors, sent over to England by the emperor.<sup>2</sup>

These articles, when published, gave no satisfaction to the nation: it was universally said, that the emperor, in order to get possession of England, would verbally agree to any terms: and the greater advantage there appeared, in the conditions which he granted, the more certainly might it be concluded, that he had no serious intention of observing them: that the usual fraud and ambition of that monarch, might assure the nation of such a conduct; and his son, Philip, while he inherited these vices from his father, added to them tyranny, sullenness, pride, and barbarity, more dangerous vices of his own: that England would become a province, and a province to a kingdom, which usually exercised the most violent authority over all her dependent dominions: that the Netherlands, Milan, Sicily, Naples, groaned under the burden of Spanish tyranny; and, throughout all the new conquests, in America, there had been displayed scenes of unrelenting cruelty, hitherto unknown in the history of mankind: that the inquisition was a tribunal invented by that tyrannical nation; and would, infallibly, with all their other laws and institutions, be introduced into England: and, that the divided sentiments of the people, with regard to religion, would subject multitudes to this iniquitous tribunal, and would reduce the whole nation to the most abject servitude.<sup>3</sup>

These complaints, being diffused every where, prepared the people for a rebellion; and, had any foreign power given them encouragement, or any great man appeared, to head them, the consequences might have proved fatal to the queen's authority. But the king of France, though engaged in hostilities with the emperor, refused to concur in any proposal for an insurrection, lest he should afford Mary a pretence for declaring war against

<sup>1</sup> Rymer, vol. xv. p. 377. <sup>2</sup> Depeches de Noailles, vol. ii. p. 299. <sup>3</sup> Heylin, p. 322. Burnet, vol. ii. p. 268. Godwin, p. 339.



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him.<sup>1</sup> And the more prudent part of the nobility thought, that as the evils of the Spanish alliance were only dreaded at a distance, matters were not yet fully prepared for a general revolt. Some persons, however, more turbulent than the rest, believed that it would be safer to prevent than to redress grievances; and they formed a conspiracy to rise in arms and declare against the queen's marriage with Philip. Sir Thomas Wiat purposed to raise Kent; Sir Peter Carew, Devonshire: and they engaged the duke of Suffolk, by the hopes of recovering the crown for the lady Jane,<sup>2</sup> to attempt raising the midland counties. Carew's impatience or apprehensions engaged him to break the concert, and to rise in arms before the day appointed: he was soon suppressed by the earl of Bedford, and constrained to fly into France. On this intelligence, Suffolk, dreading an arrest, suddenly left the town with his brothers, lord Thomas and lord Leonard Gray; and endeavoured to raise the people in the counties of Warwick and Leicester, where his interest lay; but he was so closely pursued by the earl of Huntingdon, at the head of three hundred horse, that he was obliged to disperse his followers; and being discovered in his concealment, he was carried prisoner to London.<sup>3</sup> Wiat was at first more successful in his attempt; and having published a declaration at Maidstone, in Kent, against the queen's evil counsellors, and against the Spanish match, without any mention of religion, the people began to flock to his standard. The duke of Norfolk, with Sir Henry Jernegan, was sent against him, at the head of the guards and some other troops, reinforced with five hundred Londoners, commanded by Bret: and he came within sight of the rebels at Rochester, where they had fixed their head-quarters. Sir George Harper here pretended to desert from them; but having secretly gained Bret, these two malcontents so wrought on the Londoners, that the whole body deserted to Wiat, and declared, that they would not contribute to enslave their native country. Norfolk, dreading the contagion of the example, immediately retreated with his troops, and took shelter in the city.<sup>4</sup>

Wiat's insurrection

After this proof of the dispositions of the people, especially of the Londoners, who were mostly protestants, Wiat was encouraged to proceed: he led his forces to Southwark, where he required of the queen, that she should put the Tower into his hands; should deliver four counsellors as hostages; and in order to ensure the liberty of the nation, should immediately marry an Englishman. Finding that the bridge was secured against him, and that the city was overawed, he marched up to Kingston, where he passed the river with four thousand men; and returning towards London, hoped to encourage his partisans, who had engaged to declare for him. He had imprudently wasted

<sup>1</sup> Depeches de Noailles, vol. ii. p. 249, vol. iii. p. 17, 58. <sup>2</sup> Heylin, p. 33. Godwin, p. 340. <sup>3</sup> Fox, vol. iii. p. 30. <sup>4</sup> Heylin, p. 33. Godwin, p. 341. Stowe, p. 619. Baker, p. 318. Holingshed, p. 1094.

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Insurrec-  
tions sup-  
pressed.

so much time at Southwark, and in his march from Kingston, that the critical season, on which all popular commotions depend, was entirely lost: though he entered Westminster, without resistance, his followers, finding that no persons of note joined him, insensibly fell off, and he was at last seized near Temple-bar, by Sir Maurice Berkeley.<sup>1</sup> Four hundred persons are said to have suffered for this rebellion:<sup>2</sup> four hundred more were conducted before the queen, with ropes about their necks; and falling on their knees, received a pardon, and were dismissed. Wiat was condemned and executed: as it had been reported, that on his examination he had accused the lady Elizabeth and the earl of Devonshire, as accomplices, he took care on the scaffold, before the whole people, fully to acquit them of having any share in his rebellion.

The lady Elizabeth had been, during some time, treated with great harshness by her sister; and many studied instances of discouragement and disrespect had been practised against her. She was ordered to take place, at court, after the countess of Lenox and the dutchess of Suffolk, as if she were not legitimate;<sup>3</sup> her friends were discountenanced on every occasion; and while her virtues, which were now become eminent, drew to her the attendance of all the young nobility, and rendered her the favourite of the nation,<sup>4</sup> the malevolence of the queen still discovered itself every day by fresh symptoms, and obliged the princess to retire into the country. Mary seized the opportunity of this rebellion; and hoping to involve her sister in some appearance of guilt, sent for her under a strong guard, committed her to the Tower, and ordered her to be strictly examined by the council. But the public declaration made by Wiat, rendered it impracticable to employ against her any false evidence which might have offered; and the princess made so good a defence, that the queen found herself under a necessity of releasing her.<sup>5</sup> In order to send her out of the kingdom, a marriage was offered her with the duke of Savoy; and when she declined the proposal, she was committed to custody, under a strong guard, at Wodestoke.<sup>6</sup> The earl of Devonshire, though equally innocent, was confined in Fotheringay castle.

But this rebellion proved still more fatal to the lady Jane Gray, as well as to her husband: the duke of Suffolk's guilt was imputed to her; and though the rebels and malcontents seemed chiefly to rest their hopes on the lady Elizabeth and the earl of Devonshire, the queen, incapable of generosity or clemency, determined to remove every person from whom the least danger could be apprehended. Warning was given the lady Jane to prepare for death; a doom which she had long expected, and

<sup>1</sup> Fox, vol. iii. p. 31. Heylin, p. 34. Burnet, vol. ii. p. 270. Stowe, p. 621.  
<sup>2</sup> Depeches de Noailles, vol. iii. p. 124. <sup>3</sup> Ibid. vol. ii. p. 273, 288. <sup>4</sup> Ibid. p. 273.  
<sup>5</sup> Godwin, p. 343. Burnet, vol. ii. p. 273. Fox, vol. iii. p. 99, 105.  
Strype's Mem. vol. iii. p. 85. <sup>6</sup> Depeches de Noailles, vol. iii. p. 226.

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which the innocence of her life, as well as the misfortunes to which she had been exposed, rendered nowise unwelcome to her. The queen's zeal, under colour of tender mercy to the prisoner's soul, induced her to send divines, who harassed her with perpetual disputation; and even a reprieve for three days was granted her, in hopes that she would be persuaded during that time to pay, by a timely conversion, some regard to her eternal welfare. The lady Jane had presence of mind, in those melancholy circumstances, not only to defend her religion by all the topics then in use, but also to write a letter to her sister,<sup>1</sup> in the Greek language, in which, besides sending her a copy of the Scriptures in that tongue, she exhorted her to maintain in every fortune a like steady perseverance. On the day of her execution, her husband, lord Guilford, 12th Feb. desired permission to see her: but she refused her consent, and informed him by a message, that the tenderness of their parting would overcome the fortitude of both, and would too much unbend their minds from that constancy, which their approaching end required of them: their separation, she said, would be only for a moment; and they would soon rejoin each other in a scene, where their affections would be for ever united, and where death, disappointment and misfortunes could no longer have access to them, or disturb their eternal felicity.<sup>2</sup>

It had been intended to execute the lady Jane and lord Guilford together, on the same scaffold, at Towerhill; but the council, dreading the compassion of the people, for their youth, beauty, innocence and noble birth, changed their orders, and gave directions, that she should be beheaded within the verge of the Tower. She saw her husband led to execution; and, having given him from the window some token of her remembrance, she waited with tranquillity till her own appointed hour should bring her to a like fate. She even saw his headless body carried back in a cart; and found herself more confirmed, by the reports which she heard of the constancy of his end, than shaken by so tender and melancholy a spectacle. Sir John Gage, constable of the Tower, when he led her to execution, desired her to bestow on him some small present, which he might keep as a perpetual memorial of her: she gave him her table-book, on which she had just written three sentences, on seeing her husband's dead body; one in Greek, another in Latin, a third in English.<sup>3</sup> The purport of them was, that human justice was against his body, but divine mercy would be favourable to his soul; that, if her fault deserved punishment, her youth, at least, and her imprudence, were worthy of excuse; and that God and posterity, she trusted, would show her favour. On the scaffold, she made a speech to the by-standers; in which the mildness of her disposition led her to take the blame wholly on her-

<sup>1</sup> Fox, vol. iii. p. 35. Heylin, p. 166. <sup>2</sup> Heylin, p. 167. Baker, p. 319.

<sup>3</sup> Heylin, p. 167.

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self, without uttering one complaint against the severity with which she had been treated. She said, that her offence was not the having laid her hand upon the crown, but the not rejecting it with sufficient constancy: that she had less erred, through ambition, than through reverence to her parents, whom she had been taught to respect and obey: that she willingly received death, as the only satisfaction which she could now make to the injured state; and though her infringement of the laws had been constrained, she would show, by her voluntary submission to their sentence, that she was desirous to atone for that disobedience, into which too much filial piety had betrayed her: that she had justly deserved this punishment, for being made the instrument, though the unwilling instrument, of the ambition of others: and that the story of her life, she hoped, might at least be useful, by proving that innocence excuses not great misdeeds, if they tend anywise to the destruction of the commonwealth. After uttering these words she caused herself to be disrobed by her women; and with a steady, serene countenance, submitted herself to the executioner.<sup>1</sup>

Execution  
of lady  
Jane Gray.

The duke of Suffolk was tried, condemned and executed, soon after; and would have met with more compassion, had not his temerity been the cause of his daughter's untimely end. Lord Thomas Gray lost his life for the same crime. Sir Nicholas Throgmorton was tried, in Guildhall; but there appearing no satisfactory evidence against him, he was able, by making an admirable defence, to obtain a verdict of the jury in his favour. The queen was so enraged at the disappointment, that, instead of releasing him, as the law required, she recommitted him to the Tower, and kept him in close confinement, during some time. But her resentment stopped not here: the jury, being summoned before the council, were all sent to prison, and afterwards fined; some of them a thousand pounds, others two thousand a-piece.<sup>2</sup> This violence proved fatal to several; among others, to Sir John Throgmorton, brother to Sir Nicholas, who was condemned, on no better evidence than had formerly been rejected. The queen filled the Tower and all the prisons with nobility and gentry, whom their interest with the nation, rather than any appearance of guilt, had made the objects of her suspicion. And finding that she was universally hated, she determined to disable the people from resistance, by ordering general musters, and directing the commissioners to seize their arms, and lay them up, in forts and castles.<sup>3</sup>

Though the government laboured under so general an odium, the queen's authority had received such an increase from the suppression of Wyatt's rebellion, that the ministry hoped to find a compliant disposition in the new parliament, which was summon-

<sup>1</sup> Heylin, p. 167. Fox, vol. iii. p. 36, 37. Holingshed, p. 1099. <sup>2</sup> Fox, vol. iii. p. 99. Stowe, p. 624. Baker, p. 320. Holingshed, p. 1104, 1121. Strype, vol. iii. p. 120. Dep. de Noailles, vol. iii. p. 173. <sup>3</sup> Dep. de Noailles, vol. iii. p. 98.



ed to assemble. The emperor, also, in order to facilitate the same end, had borrowed no less a sum than four hundred thousand crowns, which he had sent over to England, to be distributed in bribes and pensions, among the members: a pernicious practice, of which there had not, hitherto, been any instance in England. And, not to give the public any alarm with regard to the church lands, the queen, notwithstanding her bigotry, resumed her title of supreme head of the church, which she had dropped, three months before. Gardiner, the chancellor, opened the session, by a speech; in which he asserted, the queen's hereditary title to the crown; maintained her right of choosing a husband for herself; observed how proper a use she had made of that right, by giving the preference to an old ally, descended from the house of Burgundy; and, remarked the failure of Henry VIII.'s posterity, of whom there now remained none but the queen and the lady Elizabeth. He added, that, in order to obviate the inconveniences, which might arise from different pretenders, it was necessary to invest the queen, by law, with a power of disposing of the crown, and of appointing her successor: a power, he said, which was not to be thought unprecedented in England, since it had formerly been conferred on Henry VIII.<sup>1</sup>

The parliament was much disposed to gratify the queen, in all her desires; but, when the liberty, independency, and very being of the nation, were in such visible danger, they could not, by any means, be brought to compliance. They knew both the inveterate hatred which she bore to the lady Elizabeth, and her devoted attachment to the house of Austria: they were acquainted with her extreme bigotry, which would lead her to postpone all considerations of justice, or national interest, to the establishment of the catholic religion; they remarked, that Gardiner had carefully avoided, in his speech, the giving to Elizabeth the appellation of the queen's sister; and they thence concluded, that a design was formed of excluding her, as illegitimate: they expected that Mary, if invested with such a power as she required, would make a will, in her husband's favour, and thereby render England, for ever, a province to the Spanish monarchy: and they were the more alarmed with these projects, as they heard that Philip's descent from the house of Lancaster was carefully insisted on, and that he was publicly represented as the true and only heir, by right of inheritance.

The parliament, therefore, aware of the danger, were determined to keep at a distance from the precipice which lay before them. They could not avoid ratifying the articles of marriage,<sup>2</sup> which were drawn very favourable for England; but they declined the passing of any such law as the chancellor pointed out to them: they would not so much as declare it treason to imagine, or attempt the death of the queen's husband, while she was alive; and a bill introduced for that purpose was laid aside,

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A parliament.

<sup>1</sup> Dep. de Noailles: <sup>2</sup> 1 Mar. par. ii. cap. 2.

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after the first reading. The more effectually to cut off Philip's hopes of possessing any authority in England, they passed a law in which they declared, "that her majesty, as their only queen, should solely, and as a sole queen, enjoy the crown and sovereignty of her realms, with all the pre-eminences, dignities, and rights, thereto belonging, in as large and ample a manner, after her marriage, as before, without any title or claim accruing to the prince of Spain, either as tenant, by courtesy of the realm, or by any other means."<sup>1</sup>

A law passed, in this parliament, for re-erecting the bishopric of Durham, which had been dissolved by the last parliament of Edward.<sup>2</sup> The queen had, already, by an exertion of her power, put Tonstal in possession of that see: but, though it was usual at that time for the crown to assume authority, which might seem entirely legislative, it was always deemed more safe and satisfactory to procure the sanction of parliament. Bills were introduced for suppressing heterodox opinions, contained in books, and for reviving the law of the six articles, together with those against the Lollards, and against heresy and erroneous preaching: but none of these laws could pass the two houses: a proof, that the parliament had reserves, even in their concessions, with regard to religion, about which they seem to have been less scrupulous. The queen, therefore, finding that they would not serve all her purposes, finished the session by dissolving them.

5th May.

Mary's thoughts were now entirely occupied about receiving Don Philip, whose arrival she hourly expected. This princess, who had lived so many years in a very reserved and private manner, without any prospect or hopes of a husband, was so smitten with affection for her young consort, whom she had never seen, that she waited, with the utmost impatience, for the completion of the marriage; and every obstacle was to her a source of anxiety and discontent.<sup>3</sup> She complained of Philip's delays, as affected; and she could not conceal her vexation, that, though she brought him a kingdom, as her dowry, he treated her with such neglect, that he had never yet favoured her with a single letter.<sup>4</sup> Her fondness was but the more increased, by this supercilious treatment; and when she found that her subjects had entertained the greatest aversion for the event, to which she directed her fondest wishes, she made the whole English nation the object of her resentment. A squadron, under the command of lord Effingham, had been fitted out, to convoy Philip from Spain, where he then resided; but the admiral, informing her that the discontents ran very high among the seamen, and that it was not safe for Philip to intrust himself in their hands, she gave orders to dismiss them.<sup>5</sup> She then dreaded, lest the French fleet, being masters of the sea, might intercept her husband; and every rumour of danger, every blast of wind, threw her into panics and convul-

<sup>1</sup> 1 Mar. par. ii. cap. 1. <sup>2</sup> Ibid. cap. 3. <sup>3</sup> Strype, vol. iii. p. 125. <sup>4</sup> Dep. de Noailles, vol. iii. p. 248. <sup>5</sup> Ibid. p. 220.

sions. Her health, and even her understanding, were visibly hurt by this extreme impatience; and she was struck with a new apprehension, lest her person, impaired by time, and blasted with sickness, should prove disagreeable to her future consort. Her glass discovered to her how haggard she was become; and, when she remarked the decay of her beauty, she knew not whether she ought more to desire or apprehend the arrival of Philip.<sup>1</sup>

At last came the moment, so impatiently expected; and news was brought the queen of Philip's arrival, at Southampton.<sup>2</sup> A few days after, they were married, in Westminster; and, having made a pompous entry into London, where Philip displayed his wealth, with great ostentation, she carried him to Windsor, the palace in which they afterwards resided. The prince's behaviour was ill calculated to remove the prejudices which the English nation had entertained against him. He was distant and reserved in his address; took no notice of the salutes, even of the most considerable noblemen; and so intrenched himself in form and ceremony, that he was, in a manner, inaccessible;<sup>3</sup> but this circumstance rendered him the more acceptable to the queen, who desired to have no company but her husband's, and who was impatient, when she met with any interruption to her fondness. The shortest absence gave her vexation; and, when he showed civilities to any other woman, she could not conceal her jealousy and resentment.

Mary soon found, that Philip's ruling passion was ambition; and, that the only method of gratifying him, and securing his affections, was to render him master of England. The interest and liberty of her people were considerations of small moment, in comparison of her obtaining this favourite point. She summoned a new parliament, in hopes of finding them entirely compliant; and, that she might acquire the greater authority over them, she imitated the precedent of the former reign, and wrote circular letters, directing a proper choice of members.<sup>4</sup> The zeal of the catholics, the influence of Spanish gold, the powers of prerogative, the discouragement of the gentry, particularly of the protestants; all these causes, seconding the intrigues of Gardiner, had procured her a house of commons, which was, in a great measure, to her satisfaction; and it was thought, from the disposition of the nation, that she might now safely omit, on her assembling the parliament, the title of *supreme head of the church*, though inseparably annexed, by law, to the crown of England.<sup>5</sup> Cardinal Pole had arrived in Flan-

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19th July.  
Philip's arrival in  
England.

20th Nov.

<sup>1</sup> Dep. de Noailles, vol. iii. p. 222, 252, 253. <sup>2</sup> Fox. vol. iii. p. 99. Heylin, p. 39. Burnet, vol. iii. p. 392. Godwin, p. 345. We are told, by Sir William Monson, p. 225, that the admiral of England fired at the Spanish navy, when Philip was on board; because they had not lowered their topsails, as a mark of deference to the English navy, in the narrow seas: a very spirited behaviour, and very unlike those times. <sup>3</sup> Baker, p. 320. <sup>4</sup> Mem. of Cranm. p. 344. Strype's Eccl. Mem. vol. iii. p. 154, 155. <sup>5</sup> Burnet, vol. ii. p. 291. Strype, vol. iii. p. 155.

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ders, invested with legatine powers, from the pope: in order to prepare the way for his arrival in England, the parliament passed an act, reversing his attainder, and restoring his blood; and the queen, dispensing with the old statute of provisors, granted him permission to act as legate. The cardinal came over; and, after being introduced to the king and queen, he invited the parliament to reconcile themselves and the kingdom to the apostolic see, from which they had been so long, and so unhappily divided. This message was taken in good part: and both houses voted an address to Philip and Mary, acknowledging that they had been guilty of a most horrible defection from the true church; professing a sincere repentance of their past transgressions; declaring their resolution to repeal all laws, enacted in prejudice of the church of Rome; and praying their majesties, that since they were happily uninfected with that criminal schism, they would intercede with the holy father for the absolution and forgiveness of their penitent subjects.<sup>1</sup> The request was easily granted. The legate, in the name of his holiness, gave the parliament and kingdom absolution; freed them from all censures, and received them again into the bosom of the church. The pope, then Julius III., being informed of these transactions, said, that it was an unexampled instance of his felicity, to receive thanks from the English, for allowing them to do, what he ought to give them thanks for performing.<sup>2</sup>

Notwithstanding the extreme zeal of those times, for and against popery, the object always uppermost with the nobility and gentry, was their money and estates: they were not brought to make these concessions in favour of Rome, till they had received repeated assurances from the pope, as well as the queen, that the plunder which they had made on the ecclesiastics should never be inquired into; and that the abbey and church lands should remain with the present possessors.<sup>3</sup> But not trusting altogether to these promises, the parliament took care in the law itself,<sup>4</sup> by which they repealed the former statutes, enacted against the pope's authority, to insert a clause, in which, besides bestowing validity on all marriages celebrated during the schism, and fixing the right of incumbents to their benefices, they gave security to the possessors of church lands, and freed them from all danger of ecclesiastical censures. The convocation, also, in order to remove apprehensions on that head, were induced to present a petition to the same purpose;<sup>5</sup> and the legate, in his master's name, ratified all these transactions. It now appeared, that, notwithstanding the efforts of the queen and king, the power of the papacy was effectually suppressed in England, and invincible barriers fixed against its re-establishment. For, though the jurisdiction of the ecclesiastics was, for

<sup>1</sup> Fox, vol. iii. p. 3. Heylin, p. 42. Burnet, vol. ii. p. 293. Godwin, p. 247. <sup>2</sup> Father Paul, lib. 4. <sup>3</sup> Heylin, p. 41. <sup>4</sup> 1 & 2 Phil. and Mar. c. 8. <sup>5</sup> Heylin, p. 43. 1 & 2 Phil. and Mar. c. 8. Strype, vol. iii. p. 159.



the present restored their property, on which their powers so much depended, was irretrievably lost, and no hopes remained of recovering it. Even these arbitrary, powerful and bigotted princes, while the transactions were yet recent, could not regain to the church her possessions, so lately ravished from her; and no expedients were left the clergy, for enriching themselves, but those which they had at first practised, and which had required many ages of ignorance, barbarism, and superstition, to produce their effect on mankind.\*

The parliament, having secured their own possessions, were more indifferent, with regard to religion, or even to the lives of their fellow-citizens; they revived the old sanguinary laws against heretics,<sup>1</sup> which had been rejected in the former parliament: they also enacted several statutes against seditious words and rumours;<sup>2</sup> and they made it treason to imagine, or attempt the death of Philip, during his marriage with the queen.<sup>3</sup> Each parliament, hitherto, had been induced to go a step farther than their predecessors; but none of them had entirely lost all regard to national interests. Their hatred against the Spaniards, as well as their suspicion of Philip's pretensions, still prevailed; and though the queen attempted to get her husband declared presumptive heir of the crown, and to have the administration put into his hands, she failed in all her endeavours, and could not so much as procure the parliament's consent to his coronation.<sup>4</sup> All attempts, likewise, to obtain subsidies, from the commons, in order to support the emperor, in his war against France, proved fruitless; the usual animosity and jealousy of the English, against that kingdom, seemed to have given place for the present, to like passions against Spain. Philip, sensible of the prepossessions entertained against him, endeavoured to acquire popularity, by procuring the release of several prisoners, of distinction; lord Henry Dudley, Sir George Harper, Sir Nicholas Throgmorton, Sir Edmond Warner, Sir William St. Lo, Sir Nicholas Arnold, Harrington, Tremain, who had been confined, from the suspicions or resentment of the court.<sup>5</sup> But nothing was more agreeable to the nation than his protecting the lady Elizabeth from the spite and malice of the queen, and restoring her to liberty. This measure was not the effect of any generosity in Philip, a sentiment of which he was wholly destitute, but of a refined policy, which made him foresee, that if that princess were put to death, the next lawful heir was, the queen of Scots, whose succession would for ever annex England to the crown of France. The earl of Devonshire, also, reaped some benefit from Philip's affectation of popularity, and recovered his liberty: but that nobleman, finding himself expos-

\* See note [F2] at the end of the volume. <sup>1</sup> 1 and 2 Phil. and Mar. c. 6. <sup>2</sup> Ibid. c. 8, 9. <sup>3</sup> Ibid. c. 10. <sup>4</sup> Godwin, p. 348. Baker, p. 322. <sup>5</sup> Heylin, p. 39. Burnet, vol. ii. p. 237. Stowe, p. 626. Depeches de Noailles vol. iv. p. 146, 147.

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ed to suspicion, begged permission to travel;<sup>1</sup> and he soon after died at Padua, from poison, as is pretended, given him by the imperialists. He was the eleventh and last earl of Devonshire, of that noble family, one of the most illustrious in Europe.

The queen's extreme desire of having issue had made her fondly give credit to any appearance of pregnancy; and when the legate was introduced to her, she fancied that she felt the embryo stir in her womb.<sup>2</sup> Her flatterers compared this motion of the infant, to that of John the Baptist, who leaped in his mother's belly at the salutation of the Virgin.<sup>3</sup> Despatches were immediately sent to inform foreign courts of this event: orders were issued, to give public thanks: great rejoicings were made: the family of the young prince was already settled;<sup>4</sup> for the catholics held themselves assured, that the child was to be a male: and Bonner, bishop of London, made public prayers, he said, that heaven would please to render him beautiful, vigorous, and witty. But the nation still remained somewhat incredulous; and men were persuaded that the queen laboured under infirmities, which rendered her incapable of having children. Her infant proved only the commencement of a dropsy, which the disordered state of her health had brought upon her. The belief, however, of her pregnancy, was upheld with all possible care; and was one artifice, by which Philip endeavoured to support his authority in the kingdom. The parliament passed a law, which, in case of the queen's demise, appointed him protector, during the minority; and the king and queen finding they could obtain no further concessions, came unexpectedly to Westminster, and dissolved them.

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16th Jan.

There happened an incident, this session, which must not be passed over in silence. Several members of the lower house, dissatisfied with the measures of the parliament, but finding themselves unable to prevent them, made a secession, in order to show their disapprobation, and refused, any longer, to attend the house.<sup>5</sup> For this instance of contumacy, they were indicted, in the king's bench, after the dissolution of parliament; six of them submitted to the mercy of the court, and paid their fines: the rest traversed; and the queen died, before the affair was brought to an issue. Judging of the matter, by the subsequent claims of the house of commons, and, indeed, by the true principles of free government, this attempt of the queen's ministers must be regarded as a breach of privilege; but it gave little umbrage at the time, and was never called in question, by any house of commons, which afterwards sat, during this reign. The count of Noailles, the French ambassador, says that the queen threw several members into prison, for their freedom of speech.<sup>6</sup>

<sup>1</sup> Heylin, p. 40. Godwin, p. 349. <sup>2</sup> Depeches de Noailles, vol. iv. p. 25. <sup>3</sup> Burnet, vol. ii. p. 292. Godwin, p. 348. <sup>4</sup> Heylin, p. 46. <sup>5</sup> Coke's Institutes, part iv. p. 17. Strype's Mem. vol. i. p. 165. <sup>6</sup> Vol. v. p. 296.

## CHAPTER XXXVII.

Reasons for and against Toleration—Persecutions—A Parliament—The Queen's Extortions—The Emperor resigns his Crown—Execution of Cranmer—War with France—Battle of St. Quintin—Calais taken by the French—Affairs of Scotland—Marriage of the Dauphin and the Queen of Scots—A Parliament—Death of the Queen.

THE success which Gardiner, from his cautious and prudent conduct, had met with, in governing the parliament, and engaging them to concur both in the Spanish match and in the re-establishment of the ancient religion, two points, to which, it was believed, they bore an extreme aversion, had so raised his character for wisdom and policy, that his opinion was received as an oracle in the council; and his authority, as it was always great in his own party, no longer suffered any opposition or control. Cardinal Pole himself, though more beloved on account of his virtue and candour, and though superior in birth and station, had not equal weight in public deliberations; and, while his learning, piety and humanity were extremely respected, he was represented more as a good man than a great minister. A very important question was frequently debated, before the queen and council, by these two ecclesiastics, Whether the laws lately revived against heretics should be put in execution, or should only be employed to restrain, by terror, the bold attempts of these zealots? Pole was very sincere in his religious principles; and, though his moderation had made him be suspected, at Rome, of a tendency towards Lutheranism, he was seriously persuaded of the catholic doctrines, and thought that no consideration of human policy ought ever to come in competition with such important interests. Gardiner, on the contrary, had always made his religion subservient to his schemes of safety or advancement; and, by his unlimited complaisance to Henry, he had shown, that had he not been pushed to extremity under the late minority, he was sufficiently disposed to sacrifice his principles to the established theology. This was the well known character of these two great counselors; yet, such is the prevalence of temper above system, that the benevolent disposition of Pole led him to advise a toleration of the heretical tenets which he highly blamed; while the severe manners of Gardiner inclined him to support by persecution that religion which, at the bottom, he regarded with great indifference.<sup>1</sup> This circumstance of public conduct was of the highest importance; and, from being the object of deliberation in the council, it soon became the subject of discourse throughout the nation. We shall relate, in a few words, the topics by which each side supported, or might have supported, their scheme of policy,

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<sup>1</sup> Heylin, p. 47.

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and shall display the opposite reasons which have been employed, with regard to an argument that ever has been, and ever will be so much canvassed.

The practice of persecution, said the defenders of Pole's opinion, is the scandal of all religion; and the theological animosity, so fierce and violent, far from being an argument of men's conviction, in their opposite sects, is a certain proof that they have never reached any serious persuasion, with regard to these remote and sublime subjects. Even those who are the most impatient of contradiction in other controversies, are mild and moderate in comparison of polemical divines; and wherever a man's knowledge and experience give him a perfect assurance in his own opinion, he regards with contempt, rather than anger, the opposition and mistakes of others. But while men zealously maintain what they neither clearly comprehend nor entirely believe, they are shaken in their imagined faith by the opposite persuasion, or even doubts of other men, and vent on their antagonists that impatience which is the natural result of so disagreeable a state of the understanding. They then easily embrace any pretence for representing opponents as impious and profane; and, if they can also find a colour for connecting this violence with the interests of civil government, they can no longer be restrained from giving uncontrolled scope to vengeance and resentment. But, surely, never enterprise was more unfortunate than that of founding persecution upon policy, or endeavouring, for the sake of peace, to settle an entire uniformity of opinion in questions which, of all others, are least subjected to the criterion of human reason. The universal and uncontradicted prevalence of one opinion, in religious subjects, can be owing, at first, to the stupid ignorance alone and barbarism of the people, who never indulge themselves in any speculation or inquiry; and there is no expedient for maintaining that uniformity, so fondly sought after, but by banishing for ever all curiosity, and all improvement in science and cultivation. It may not, indeed, appear difficult to check, by a steady severity, the first beginnings of controversy; but besides that this policy exposes for ever the people to all the abject terrors of superstition, and the magistrate to the endless encroachments of ecclesiastics, it also renders men so delicate that they can never endure to hear of opposition; and they will, some time, pay dearly for that false tranquillity, in which they have been so long indulged. As healthful bodies are ruined by too nice a regimen, and are thereby rendered incapable of bearing the unavoidable incidents of human life; so a people, who never were allowed to imagine that their principles could be contested, fly out into the most outrageous violence, when any event (and such events are common) produces a faction among their clergy, and gives rise to any difference in tenet or opinion. But, whatever may be said in favour of supporting by persecution the first beginnings of heresy, no solid argument can be alleged



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for extending severity towards multitudes, or endeavouring, by capital punishments, to extirpate an opinion, which has diffused itself among men of every rank and station. Besides the extreme barbarity of such an attempt, it commonly proves ineffectual to the purpose intended; and serves only to make men more obstinate in their persuasion, and to increase the number of their proselytes. The melancholy, with which the fear of death, torture and persecution inspires the sectaries, is the proper disposition for fostering religious zeal: the prospect of eternal rewards, when brought near, overpowers the dread of temporal punishments: the glory of martyrdom, stimulates all the more furious zealots, especially the leaders and preachers: where a violent animosity is excited by oppression, men naturally pass from hating the persons of their tyrants, to a more violent abhorrence of their doctrines; and the spectators, moved with pity towards the supposed martyrs, are easily seduced to embrace those principles, which can inspire men with a constancy that appears almost supernatural. Open the door to toleration, mutual hatred relaxes among the sectaries; their attachment to their particular modes of religion decays; the common occupations and pleasures of life succeed to the acrimony of disputation; and the same man, who, in other circumstances, would have braved flames and tortures, is induced to change his sect from the smallest prospect of favour and advancement, or even from the frivolous hope of becoming more fashionable in his principles. If any exception can be admitted to this maxim of toleration, it will only be where a theology, altogether new, nowise connected with the ancient religion of the state, is imported from foreign countries, and may easily at one blow be eradicated, without leaving the seeds of future innovation. But as this exception would imply some apology for the ancient pagan persecutions, or for the extirpation of Christianity in China and Japan, it ought, surely, on account of this detested consequence, to be rather buried in eternal silence and oblivion.

Though these arguments appear entirely satisfactory, yet such is the subtilty of human wit, that Gardiner, and the other enemies to toleration, were not reduced to silence; and they still found topics, on which to maintain the controversy. The doctrine, said they, of liberty of conscience, is founded on the most flagrant impiety, and supposes such an indifference among all religions, such an obscurity in theological doctrines, as to render the church and magistrate incapable of distinguishing, with certainty, the dictates of Heaven, from the mere fictions of human imagination. If the Divinity reveals principles to mankind, he will surely give a criterion, by which they may be ascertained; and a prince, who knowingly allows these principles to be perverted or adulterated, is infinitely more criminal, than if he gave permission for the vending of poison, under the shape of food, to all his subjects. Persecution may indeed seem better

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calculated to make hypocrites than converts; but experience teaches us, that the habits of hypocrisy often turn into reality; and the children, at least, ignorant of the dissimulation of their parents, may happily be educated in more orthodox tenets. It is absurd, in opposition to considerations of such unspeakable importance, to plead the temporal and frivolous interests of civil society; and if matters be thoroughly examined, even that topic will not appear so universally certain, in favour of toleration, as by some it is represented. Where sects arise, whose fundamental principle, on all sides, is to execrate, and abhor, and damn, and extirpate each other, what choice has the magistrate left but to take part, and by rendering one sect entirely prevalent, restore, at least for a time, the public tranquillity? The political body, being here sickly, must not be treated as if it were in a state of sound health; and an effectual neutrality in the prince, or even a cool preference, may serve only to encourage the hopes of all the sects, and keep alive their animosity. The protestants, far from tolerating the religion of their ancestors, regard it as an impious and detestable idolatry; and during the late minority, when they were entirely masters, they enacted very severe, though not capital punishments against all exercise of the catholic worship, and even against such as barely abstained from their profane rites and sacraments. Nor are instances wanting of their endeavours to secure an imagined orthodoxy, by the most rigorous executions: Calvin has burned Servetus, at Geneva: Cranmer brought Arians and Anabaptists to the stake: and if persecution of any kind be admitted, the most bloody and violent will surely be allowed the most justifiable, as the most effectual. Imprisonments, fines, confiscations, whippings, serve only to irritate the sects, without disabling them from resistance: but the stake, the wheel, and the gibbet, must soon terminate, in the extirpation or banishment of all the heretics inclined to give disturbance, and in the entire silence and submission of the rest.

The arguments of Gardiner, being more agreeable to the cruel bigotry of Mary and Philip, were better received; and though Pole pleaded, as is affirmed,<sup>1</sup> the advice of the emperor, who recommended it to his daughter-in-law not to exercise violence against the protestants, and desired her to consider his own example, who, after endeavouring through his whole life to extirpate heresy, had in the end reaped nothing but confusion and disappointment, the scheme of toleration was entirely rejected. It was determined to let loose the laws, in their full vigour, against the reformed religion; and England was soon filled with scenes of horror, which have ever since rendered the catholic religion the object of general detestation, and which

<sup>1</sup> Burnet, vol. ii. Heylin, p. 47. It is not likely, however, that Charles gave any such advice: for he himself was, at this very time, proceeding with great violence in persecuting the reformed in Flanders. Bentivoglio, part i. lib. 1.

prove, that no human depravity can equal revenge and cruelty, covered with the mantle of religion. CHAP. XXXVII.

The persecutors began with Rogers, prebendary of St. Paul's, a man eminent in his party, for virtue, as well as for learning. Gardiner's plan was, first to attack men of that character, whom he hoped terror would bend to submission, and whose example, either of punishment or recantation, would naturally have influence on the multitude: but, he found a perseverance and courage in Rogers, which it may seem strange to find in human nature, and of which all ages, and all sects do, nevertheless, furnish many examples. Rogers, beside the care of his own preservation, lay under other powerful temptations to compliance; he had a wife whom he tenderly loved, and ten children; yet such was his sincerity, after his condemnation, that the jailors, it is said, waked him from a sound sleep, when the hour of his execution approached. He had desired to see his wife before he died; but Gardiner told him, that he was a priest, and could not possibly have a wife; thus joining insult to cruelty. Rogers was burnt in Smithfield.<sup>1</sup>

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Violent  
persecu-  
tions in  
England.

Hooper, bishop of Gloucester, had been tried at the same time with Rogers; but was sent to his own diocese to be executed. This circumstance was contrived, to strike the greater terror into his flock; but it was a source of consolation to Hooper, who rejoiced in giving testimony by his death to that doctrine which he had formerly preached among them. When he was tied to the stake, a stool was set before him, and the queen's pardon laid upon it, which it was still in his power to merit, by a recantation: but he ordered it to be removed; and cheerfully prepared himself for that dreadful punishment, to which he was sentenced. He suffered it in its full severity: the wind, which was violent, blew the flame of the reeds from his body: the faggots were green, and did not kindle easily: all his lower parts were consumed, before his vitals were attacked: one of his hands dropped off: with the other he continued to beat his breast: he was heard to pray and to exhort the people, till his tongue, swoln with the violence of his agony, could no longer permit him utterance. He was three quarters of an hour in torture, which he bore with inflexible constancy.<sup>2</sup>

Sanders was burnt at Coventry: a pardon was also offered him; but he rejected it, and embraced the stake, saying, "Welcome, the cross of Christ! welcome, everlasting life!" Taylor, parson of Hadley, was punished by fire in that place, surrounded by his ancient friends and parishioners. When tied to the stake, he rehearsed a psalm in English: one of his guards struck him in the mouth, and bade him speak Latin: another, in a rage, gave him a blow on the head with his halbert, which happily put an end to his torments.

<sup>1</sup> Fox, vol. iii. p. 119. Burnet, vol. ii. p. 302. <sup>2</sup> Fox, vol. iii. 145, &c. Burnet, vol. ii. p. 302. Heylin, p. 48, 49. Godwin, p. 349.



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There was one Philpot, archdeacon of Winchester, inflamed with such zeal for orthodoxy, that having been engaged in dispute with an Arian, he spit in his adversary's face, to show the great detestation, which he had entertained against that heresy. He afterwards wrote a treatise, to justify this unmannerly expression of zeal: he said, that he was led to it, in order to relieve the sorrow, conceived from such horrid blasphemy, and to signify how unworthy such a miscreant was, of being admitted into the society of any Christian.<sup>1</sup> Philpot was a protestant; and falling now into the hands of people as zealous as his himself, but more powerful, he was condemned to the flames, and suffered at Smithfield. It seems to be almost a general rule, that in all religions, except the true, no man will suffer martyrdom, who would not also inflict it on all that differ from him. The same zeal for speculative opinions is the cause of both.

The crime for which almost all the protestants were condemned, was their refusal to acknowledge the real presence. Gardiner, who had vainly expected that a few examples would strike a terror into the reformers, finding the work daily multiply upon him, devolved the invidious office on others—chiefly on Bonner, a man of profligate manners, and of a brutal character, who seemed to rejoice in the torments of the unhappy sufferers.<sup>2</sup> He sometimes whipped the prisoners with his own hands, till he was tired with the violence of the exercise: he tore out the beard of a weaver, who refused to relinquish his religion; and, that he might give him a specimen of burning, he held his hand to the candle, till the sinews and veins shrunk and burst.<sup>3</sup>

It is needless to be particular, in enumerating all the cruelties practised in England, during the course of three years, that these persecutions lasted: the savage barbarity, on the one hand, and the patient constancy on the other, are so similar in all those martyrdoms, that the narrative, little agreeable in itself, would never be relieved by any variety. Human nature appears not on any occasion so detestable, and at the same time so absurd, as in these religious persecutions, which sink men below infernal spirits in wickedness, and below the beasts in folly. A few instances only may be worth preserving, in order, if possible, to warn zealous bigots for ever to avoid such odious and such fruitless barbarity.

Ferrar, bishop of St. David's, was burned in his own diocese; and his appeal to cardinal Pole was not attended to.<sup>4</sup> Ridley, bishop of London, and Latimer, formerly bishop of Worcester, two prelates celebrated for learning and virtue, perished together in the same flames at Oxford, and supported each other's constancy, by their mutual exhortations. Latimer, when tied to the stake, called to his companion, "Be of good cheer, bro-

<sup>1</sup> Strype, vol. iii. p. 261, and Coll. No. 58. <sup>2</sup> Heylin, p. 47, 48. <sup>3</sup> Fox, vol. iii. p. 187. <sup>4</sup> Ibid. p. 216.



“ther; we shall this day kindle such a torch in England, as I  
 “trust in God shall never be extinguished.” The executioners  
 had been so merciful (for that clemency may more naturally be  
 ascribed to them, than to the religious zealots) as to tie bags of  
 gunpowder about these prelates, in order to put a speedy period  
 to their tortures: the explosion immediately killed Latimer, who  
 was in extreme old age; Ridley continued alive during some time,  
 in the midst of the flames.<sup>1</sup>

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One Hunter, a young man of nineteen, an apprentice, having  
 been seduced by a priest into a dispute, had unwarily denied  
 the real presence. Sensible of his danger, he immediately ab-  
 sconded; but Bonner, laying hold of his father, threatened him  
 with the greatest severities, if he did not produce the young  
 man to stand his trial. Hunter, hearing of the vexations to  
 which his father was exposed, voluntarily surrendered himself  
 to Bonner, and was condemned to the flames by that barbarous  
 prelate.

Thomas Haukes, when conducted to the stake, agreed with  
 his friends, that if he found the torture tolerable, he would make  
 them a signal to that purpose in the midst of the flames. His  
 zeal for the cause in which he suffered so supported him that  
 he stretched out his arms, the signal agreed on; and in that  
 posture he expired.<sup>2</sup> This example, with many others of like  
 constancy, encouraged multitudes not only to suffer, but even  
 to court and aspire to martyrdom.

The tender sex itself, as they have commonly greater propen-  
 sity to religion, produced many examples of the most inflexible  
 courage in supporting the profession of it, against all the fury  
 of the persecutors. One execution, in particular, was attended  
 with circumstances which, even at that time, excited astonish-  
 ment by reason of their unusual barbarity. A woman in Guern-  
 sey, being near the time of her labour, when brought to the  
 stake, was thrown into such agitation by the torture, that her  
 belly burst, and she was delivered in the midst of the flames.  
 One of the guards immediately snatched the infant from the  
 fire, and attempted to save it: but a magistrate who stood by,  
 ordered it to be thrown back, being determined, he said, that  
 nothing should survive which sprang from so obstinate and he-  
 retical a parent.<sup>3</sup>

The persons condemned to these punishments were not con-  
 victed of teaching or dogmatizing, contrary to the established  
 religion: they were seized merely on suspicion; and articles  
 being offered them to subscribe, they were immediately, upon  
 their refusal, condemned to the flames.<sup>4</sup> These instances of  
 barbarity, so unusual in the nation, excited horror; the constancy  
 of the martyrs was the object of admiration; and as men have  
 a principle of equity engraven in their minds, which even false

<sup>1</sup> Burnet, vol. ii. p. 318. Heylin, p. 52. <sup>2</sup> Fox, vol. iii. p. 265. <sup>3</sup> Ibid.  
 p. 747. Heylin, p. 57. Burnet, vol. ii. p. 337. <sup>4</sup> Burnet, vol. ii. p. 306.

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religion is not able totally to obliterate, they were shocked to see persons of probity, of honour, of pious dispositions, exposed to punishments more severe than were inflicted on the greatest ruffians, for crimes subversive of civil society. To exterminate the whole protestant party was known to be impossible; and nothing could appear more iniquitous, than to subject to torture the most conscientious and courageous among them, and allow the cowards and hypocrites to escape. Each martyrdom, therefore, was equivalent to a hundred sermons against popery; and men either avoided such horrid spectacles, or returned from them full of a violent, though secret indignation, against the persecutors. Repeated orders were sent from the council, to quicken the diligence of the magistrates, in searching out heretics; and in some places the gentry were constrained to countenance, by their presence, those barbarous executions. These acts of violence tended only to render the Spanish government daily more odious; and Philip, sensible of the hatred which he incurred, endeavoured to remove the reproach from himself by a very gross artifice: he ordered his confessor to deliver, in his presence, a sermon in favour of toleration; a doctrine somewhat extraordinary in the mouth of a Spanish friar.<sup>1</sup> But the court, finding that Bonner, however shameless and savage, would not bear alone the whole infamy, soon threw off the mask: and the unrelenting temper of the queen, as well as of the king, appeared without control. A bold step was even taken towards introducing the inquisition into England. As the bishops' courts, though extremely arbitrary, and not confined by any ordinary forms of law, appeared not to be invested with sufficient power, a commission was appointed, by authority of the queen's prerogative, more effectually to extirpate heresy. Twenty-one persons were named; but any three were armed with the powers of the whole. The commission runs in these terms: "That, since many false rumours were published among the subjects, and many heretical opinions were also spread among them, the commissioners were to inquire into those, either by presentments, by witnesses, or any other political way they could devise, and to search after all heresies: the bringers in, the sellers, the readers of all heretical books: they were to examine and punish all misbehaviours, or negligences, in any church or chapel: and to try all priests, that did not preach the sacrament of the altar; all persons, that did not hear mass, or come to the parish church to service; that would not go in processions, or did not take holy bread or holy water: and, if they found any that did obstinately persist in such heresies, they were to put them into the hands of their ordinaries, to be punished according to the spiritual laws: giving the commissioners full powers to proceed, as their discretions and consciences should direct them, and to

<sup>1</sup> Heylin, p. 56.

"use all such means as they would invent, for the searching of the premises; empowering them also to call before them such witnesses as they pleased, and to force them to make oath of such things, as might discover what they sought after."<sup>1</sup> Some civil powers were also given the commissioners, to punish vagabonds and quarrelsome persons.

To bring the methods of proceeding, in England, still nearer to the practice of the inquisition, letters were written to lord North and others enjoining them, "To put to the torture such obstinate persons as would not confess, and there to order them at their discretion."<sup>2</sup> Secret spies, also, and informers, were employed, according to the practice of that iniquitous tribunal. Instructions were given to the justices of peace, "That they should call secretly before them, one or two honest persons, within their limits, or more, at their discretion, and command them, by oath, or otherwise, that they shall secretly learn and search out such persons as shall evil behave themselves in church, or idly, or shall despise openly by words the king's or queen's proceedings, or go about to make any commotion, or tell any seditious tales or news. And also, that the same persons, so to be appointed, shall declare to the same justices of peace the ill behaviour of lewd, disordered persons, whether it shall be for using unlawful games, and such other light behaviour of such suspected persons: and, that the same information shall be given secretly to the justices; and the same justices shall call such accused persons before them, and examine them without declaring by whom they were accused. And that the same justices shall, upon their examination, punish the offenders, according as their offences shall appear, upon the accusation and examination, by their discretion, either by open punishment, or by good abearing."<sup>3</sup> In some respects, this tyrannical edict even exceeded the oppression of the inquisition; by introducing into every part of government the same iniquities which that tribunal practices for the extirpation of heresy only, and which are, in some measure, necessary, wherever that end is earnestly pursued.

But the court had devised a more expeditious and summary method of supporting orthodoxy, than even the inquisition itself. They issued a proclamation, against books of heresy, treason, and sedition; and declared, "That whoever had any of these books, and did not presently burn them, without reading them, or showing them to any other person, should be esteemed rebels; and, without any farther delay, be executed, by martial law."<sup>4</sup> From the state of the English government, during that period, it is not so much the illegality of these proceedings as their violence and their pernicious tendency, which ought to be the object of our censure.

<sup>1</sup> Burnet, vol. ii. coll. 32.    <sup>2</sup> Burnet, vol. iii. p. 243.    <sup>3</sup> Ibid. p. 246, 247.

<sup>4</sup> Burnet, vol. ii. p. 363.    Heylin, p. 79.



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We have thrown together almost all the proceedings against heretics, though carried on during a course of three years, that we may be obliged, as little as possible, to return to such shocking violences and barbarities. It is computed, that in that time, two hundred and seventy-seven persons were brought to the stake; besides those who were punished by imprisonment, fines, and confiscations. Among those, who suffered by fire, were five bishops, twenty-one clergymen, eight lay gentlemen, eighty-four tradesmen, one hundred husbandmen, servants and labourers, fifty-five women, and four children. This persevering cruelty appears astonishing; yet it is much inferior to what has been practised in other countries. A great author<sup>1</sup> computes, that in the Netherlands alone, from the time that the edict of Charles V. was promulgated against the reformers, there had been fifty thousand persons hanged, beheaded, buried alive, or burnt, on account of religion; and that in France, the number had also been considerable. Yet in both countries, as the same author subjoins, the progress of the new opinions, instead of being checked, was rather forwarded, by these persecutions.

The burning of heretics, was a very natural method of reconciling the kingdom to the Romish communion, and little solicitation was requisite to engage the pope to receive the strayed flock, from which he reaped such considerable profit: yet was there a solemn embassy sent to Rome, consisting of Sir Anthony Brown, created viscount Montacute, the bishop of Ely, and Sir Edward Carne; in order to carry the submissions of England, and beg to be re-admitted into the bosom of the catholic church.<sup>2</sup> Paul IV. after a short interval, now filled the papal chair; the most haughty pontiff that, during several ages, had been elevated to that dignity. He was offended that Mary still retained among her titles, that of queen of Ireland; and he affirmed, that it belonged to him alone, as he saw cause, either to erect new kingdoms, or abolish the old: but, to avoid all dispute with the new converts, he thought proper to erect Ireland into a kingdom, and he then admitted the title, as if it had been assumed from his concession. This was a usual artifice of the popes, to give allowance to what they could not prevent,<sup>3</sup> and afterwards pretend that princes, while they exercised their own powers, were only acting by authority from the papacy. And though Paul had at first intended to oblige Mary formally to recede from this title, before he would bestow it upon her, he found it prudent to proceed in a less haughty manner.<sup>4</sup>

Another point in discussion, between the pope and the English ambassadors, was not so easily terminated. Paul insisted, that the property and possessions of the church should be restored, to the uttermost farthing: that whatever belonged to God, could never, by any law, be converted to profane uses; and every

<sup>1</sup> Father Paul, lib. 5.    <sup>2</sup> Heylin, p. 45.    <sup>3</sup> Heylin, p. 45.    Father Paul, lib. 5.    <sup>4</sup> Father Paul, lib. 5.



person, who detained such possessions, was in a state of eternal damnation: that he would willingly, in consideration of the humble submissions of the English, make them a present of these ecclesiastical revenues; but such a concession exceeded his power, and the people might be certain, that so great a profanation of holy things would be a perpetual anathema upon them, and would blast all their future felicity; that if they would truly show their filial piety, they must restore all the privileges and emoluments of the Romish church, and Peter's pence amongst the rest; nor could they expect that this apostle would open to them the gates of paradise, while they detained from him his patrimony on earth.<sup>1</sup> These earnest remonstrances, being transmitted to England, though they had little influence on the nation, operated powerfully on the queen; who was determined, in order to ease her conscience, to restore all the church lands, which were still in possession of the crown: and the more to display her zeal, she erected anew some convents and monasteries, notwithstanding the low condition of the exchequer.<sup>2</sup> When this measure was debated in council, some members objected, that if such a considerable part of the revenue were dismembered, the dignity of the crown would fall to decay; but the queen replied, that she preferred the salvation of her soul, to ten such kingdoms as England.<sup>3</sup> These imprudent measures would not probably have taken place so easily, had it not been for the death of Gardiner, which happened about this time: the great seal was given to Heathe, archbishop of York, that an ecclesiastic might still be possessed of that high office, and be better enabled by his authority to forward the persecutions against the reformed.

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These persecutions were now become extremely odious to the nation; and the effects of the public discontent appeared in the new parliament, summoned to meet at Westminster.<sup>4</sup> A bill was passed, restoring to the church the tenths and first fruits, and all the impropriations which remained in the hands of the crown; but though this matter directly concerned none but the queen herself, great opposition was made to the bill in the house of commons. An application being made for a subsidy, during two years, and for two fifteenths, the latter was refused by the commons; and many members said, that while the crown was thus despoiling itself of its revenue, it was in vain to bestow riches upon it. The parliament rejected a bill for obliging the exiles to return, under certain penalties, and another for incapacitating such as were remiss in the prosecution of heresy from being justices of peace. The queen, finding the intractable humour of the commons, thought proper to dissolve the parliament. 21st Oct. A parliament. 9th Dec.

<sup>1</sup> Father Paul, lib. 5. Heylin, p. 45. <sup>2</sup> Depeches de Noailles, vol. iv. p. 312. <sup>3</sup> Heylin, p. 53, 65. Holingshed, p. 1127. Speed, p. 826. <sup>4</sup> Burnet, vol. ii. p. 322. <sup>5</sup> 2 & 3 Phil. and Mar. cap. 4.

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The  
queen's  
extortions.

The spirit of opposition which began to prevail in parliament, was the more likely to be vexatious to Mary, as she was otherwise in very bad humour on account of her husband's absence, who, tired of her importunate love and jealousy, and finding his authority extremely limited in England, had laid hold of the first opportunity to leave her, and had gone over last summer to the emperor, in Flanders. The indifference and neglect of Philip, added to the disappointment in her imagined pregnancy, threw her into deep melancholy; and she gave vent to her spleen, by daily enforcing the persecutions against the protestants, and even by expressions of rage against all her subjects; by whom she knew herself to be hated, and whose opposition in refusing an entire compliance with Philip, was the cause, she believed, why he had alienated his affections from her, and afforded her so little of his company.<sup>1</sup> The less return her love met with, the more it increased; and she passed most of her time in solitude, where she gave vent to her passions, either in tears, or in writing fond epistles to Philip, who seldom returned her any answer, and scarcely deigned to pretend any sentiment of love, or even of gratitude towards her. The chief part of government to which she attended, was the extorting of money from her people, in order to satisfy his demands; and as the parliament had granted her but a scanty supply, she had recourse to expedients very violent and irregular. She levied a loan of sixty thousand pounds upon a thousand persons, of whose compliance, either on account of their riches or their affections to her, she held herself best assured: but that sum not sufficing, she exacted a general loan, on every one who possessed twenty pounds a year. This imposition lay heavy on the gentry, who were obliged, many of them, to retrench their expenses, and dismiss their servants, in order to enable them to comply with her demands: and as these servants, accustomed to idleness, and having no means of subsistence, commonly betook themselves to theft and robbery, the queen published a proclamation, by which she obliged their former masters to take them back to their service. She levied sixty thousand marks on seven thousand yeomen, who had not contributed to the former loan, and she exacted thirty-six thousand pounds more from the merchants. In order to engage some Londoners to comply more willingly with her multiplied extortions, she passed an edict, prohibiting for four months the exporting of any English cloth or kersey to the Netherlands; an expedient which procured a good market for such as had already sent any quantity of cloth thither. Her rapaciousness engaged her to give endless disturbance and interruption to commerce. The English company settled in Antwerp, having refused her a loan of forty thousand pounds, she dissembled her resentment, till she found that they had bought and shipped great quantities of cloth for Antwerp fair, which was approaching: she then laid

<sup>1</sup> *Depeches de Noailles*, vol. v. p. 370, 562.

an embargo on the ships, and obliged the merchants to grant her a loan of the forty thousand pounds, at first demanded, to engage for the payment of twenty thousand pounds more, at a limited time, and to submit to an arbitrary imposition of twenty shillings on each piece. Some time after, she was informed that the Italian merchants had shipped above forty thousand pieces of cloth, for the Levant, for which they were to pay her a crown a piece, the usual imposition: she struck a bargain with the merchant adventurers, in London; prohibited the foreigners from making any exportation; and received from the English merchants, in consideration of this iniquity, the sum of fifty thousand pounds, and an imposition of four crowns on each piece of cloth which they should export. She attempted to borrow great sums abroad; but her credit was so low, that though she offered fourteen per cent. to the city of Antwerp, for a loan of thirty thousand pounds, she could not obtain it till she compelled the city of London to be surety for her.<sup>1</sup> All these violent expedients were employed, while she herself was in profound peace with all the world, and had visibly no occasion for money, but to supply the demands of a husband, who gave attention only to his own convenience, and showed himself entirely indifferent about her interests.

Philip was now become master of all the wealth of the new world, and of the richest and most extensive dominions in Europe, by the voluntary resignation of the emperor Charles V. who, though still in the vigour of his age, had taken a disgust to the world, and was determined to seek, in the tranquillity of retreat, for that happiness, which he had in vain pursued amidst the tumults of war, and the restless projects of ambition. He summoned the states of the Low Countries; and, seating himself on the throne, for the last time, explained to his subjects the reasons of his resignation, absolved them from all oaths of allegiance, and, devolving his authority on Philip, told him, that his paternal tenderness made him weep, when he reflected on the burden which he imposed upon him.<sup>2</sup> He inculcated on him the great and only duty of a prince, the study of his people's happiness; and represented how much preferable it was to govern by affection, rather than by fear, the nations subjected to his dominion. The cool reflections of age now discovered to him the emptiness of his former pursuits; and he found, that the vain schemes of extending his empire, had been the source of endless opposition and disappointment, and kept himself, his neighbours, and his subjects, in perpetual inquietude, and had frustrated the sole end of government, the felicity of the nations committed to his care; an object which meets with less opposition, and which, if steadily pursued, can alone convey a lasting and solid satisfaction.

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The emperor resigns his crown.

25th Oct.

<sup>1</sup> Godwin, p. 359. Cowper's Chronicle. Burnet, vol. ii. p. 359. Carte, p. 330, 333, 337, 341. Strype's Memor. vol. iii. p. 428, 558. Annals, vol. i. p. 15. <sup>2</sup> Thuau. lib. xvi. c. 20.



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A few months after, he resigned to Philip his other dominions; and, embarking on board a fleet, sailed to Spain, and took his journey to St. Just, a monastery in Estremadura, which, being situated in a happy climate, and amidst the greatest beauties of nature, he had chosen for the place of his retreat. When he arrived at Burgos, he found, by the thinness of his court, and the negligent attendance of the Spanish grandees, that he was no longer emperor; and though this observation might convince him, still more, of the vanity of the world, and make him more heartily despise what he had renounced, he sighed to find, that all former adulation and obeisance had been paid to his fortune, not to his person. With better reason was he struck with the ingratitude of his son Philip, who obliged him to wait a long time for the payment of the small pension which he had reserved; and this disappointment, in his domestic enjoyments, gave him a sensible concern. He pursued, however, his resolution, with inflexible constancy; and, shutting himself up in his retreat, he exerted such self-command, that he restrained even his curiosity from any inquiry concerning the transactions of the world, which he had entirely abandoned. The fencing against the pains and infirmities under which he laboured occupied a great part of his time; and, during the intervals, he employed his leisure, either in examining the controversies of theology, with which his age had been so much agitated, and which he had hitherto considered only in a political light, or in imitating the works of renowned artists, particularly in mechanics, of which he had always been a great admirer and encourager. He is said to have here discovered a propensity to the new doctrines; and to have frequently dropped hints of this unexpected alteration in his sentiments. Having amused himself with the construction of clocks and watches, he thence remarked, how impracticable the object was, in which he had so much employed himself during his grandeur; and how impossible, that he, who never could frame two machines that would go exactly alike, could ever be able to make all mankind concur in the same belief and opinion. He survived his retreat two years.

The emperor Charles had, very early in the beginning of his reign, found the difficulty of governing such distant dominions; and he had made his brother, Ferdinand, be elected king of the Romans; with a view to his inheriting the imperial dignity, as well as his German dominions. But, having afterwards enlarged his schemes, and formed plans of aggrandizing his family, he regretted that he must dismember such considerable states; and he endeavoured to engage Ferdinand, by the most tempting offers, and most earnest solicitations, to yield up his pretensions in favour of Philip. Finding his attempts fruitless, he had resigned the imperial crown, with his other dignities; and Ferdinand, according to common form, applied to the pope for his coronation. That arrogant pontiff refused the demand; and he pretended, that though, on the death of an emperor, he was obliged to crown the



prince elected, yet in case of a resignation, the right devolved to the holy see, and it belonged to the holy pope alone to appoint an emperor. The conduct of Paul was in every thing conformable to these lofty pretensions. He thundered always, in the ears of all ambassadors, that he stood in no need of the assistance of any prince; that he was above all potentates of the earth; that he would not accustom monarchs to pretend to a familiarity or equality with him; that it belonged to him to alter and regulate kingdoms; that he was successor of those, who had deposed kings and emperors; and that, rather than submit to any thing below his dignity, he would set fire to the four corners of the world. He went so far as, at table, in the presence of many persons, and even openly, in a public consistory, to say, that he would not admit any kings for his companions; they were all his subjects, and he would hold them under these feet: so saying, he stamped on the ground with his old and infirm limbs; for he was now past fourscore years of age.<sup>1</sup>

The world could not forbear making a comparison between Charles V. a prince who, though educated amidst wars and intrigues of state, had prevented the decline of age, and had descended from the throne, in order to set apart an interval for thought and reflection, and a priest who, in the extremity of old age, exulted in his dominion, and, from restless ambition and revenge, was throwing all nations into combustion. Paul had entertained the most inveterate animosity against the house of Austria; and, though a truce of five years had been concluded between France and Spain, he excited Henry, by his solicitations, to break it, and promised to assist him in recovering Naples, and the dominions to which he laid claim in Italy; a project which had ever proved hurtful to the predecessors of that monarch. He himself engaged in hostilities with the duke of Alva, viceroy of Naples; and Guise being sent with forces to support him, the renewal of war between the two crowns seemed almost inevitable. Philip, though less warlike than his father, was no less ambitious: and he trusted, that by the intrigues of the cabinet, where he believed his caution, and secrecy, and prudence, gave him the superiority, he should be able to subdue all his enemies, and extend his authority and dominion. For this reason, as well as from the desire of settling his new empire, he wished to maintain peace with France; but when he found that, without sacrificing his honour, it was impossible for him to overlook the hostile attempts of Henry, he prepared for war with great industry. In order to give himself the more advantage, he was desirous of embarking England in the quarrel; and though the queen was, of herself, extremely averse to that measure, he hoped that the devoted fondness, which, notwithstanding repeated instances of his indifference, she still bore to him, would effectually second his applications. Had the matter, indeed, depended solely on her,

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<sup>1</sup> Father Paul, lib. 5.

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she was incapable of resisting her husband's commands; but she had little weight with her council, still less with her people; and her government, which was every day becoming more odious, seemed unable to maintain itself, even during the most profound tranquillity; much more if a war were kindled with France, and, what seemed an inevitable consequence, with Scotland, supported by that powerful kingdom.

Execution  
of Cran-  
mer.

An act of barbarity was this year exercised in England, which, added to many other instances of the same kind, tended to render the government extremely unpopular. Cranmer had long been detained prisoner; but the queen now determined to bring him to punishment; and, in order the more fully to satiate her vengeance, she resolved to punish him for heresy, rather than for treason. He was cited by the pope, to stand his trial at Rome; and though he was known to be kept in close custody at Oxford, he was, upon his not appearing, condemned as contumacious. Bonner, bishop of London, and Thirleby, of Ely, were sent to degrade him; and the former executed the melancholy ceremony, with all the joy and exultation which suited his savage nature.<sup>1</sup> The implacable spirit of the queen, not satisfied with the eternal damnation of Cranmer, which she believed inevitable, and with the execution of that dreadful sentence to which he was condemned, prompted her, also, to seek the ruin of his honour, and the infamy of his name. Persons were employed to attack him, not in the way of disputation, against which he was sufficiently armed, but by flattery, insinuation, and address; by representing the dignities to which his character still entitled him, if he would merit them by a recantation; by giving hopes of long enjoying those powerful friends, whom his beneficent disposition had attached to him, during the course of his prosperity.<sup>2</sup> Overcome by the fond love of life, terrified by the prospect of those tortures which awaited him, he allowed, in an unguarded hour, the sentiments of nature to prevail over his resolution, and he agreed to subscribe the doctrines of the papal supremacy and of the real presence. The court, equally perfidious and cruel, were determined that this recantation should avail him nothing; and they sent him orders, that he should be required to acknowledge his errors, in church, before the whole people, and that he should thence be immediately carried to execution. Cranmer, whether that he had received a secret intimation of their design, or had repented of his weakness, surprised the audience, by a contrary declaration. He said, that he was well apprised of the obedience which he owed to his sovereign and the laws; but this duty extended no farther than to submit, patiently, to their commands, and to bear, without resistance, whatever hardships they should impose upon him: that a superior duty, the duty which he owed to his Maker, obliged him to speak truth, on all occasions, and not to relinquish, by a

March 21.

<sup>1</sup> Mem. of Cranm. p. 375.    <sup>2</sup> Heylin, p. 55. Mem. p. 383.

base denial, the holy doctrine which the Supreme Being had revealed to mankind: that there was one miscarriage in his life, of which, above all others, he severely repented; the insincere declaration of faith to which he had the weakness to consent, and which the fear of death alone had extorted from him: that he took this opportunity of atoning for his error, by a sincere and open recantation; and was willing to seal, with his blood, that doctrine, which he firmly believed to be communicated from Heaven: and that, as his hand had erred by betraying his heart, it should first be punished by a severe, but just doom, and should first pay the forfeit of its offences. He was thence led to the stake amidst the insults of the catholics; and having now summoned up all the force of his mind, he bore their scorn, as well as the torture of his punishment, with singular fortitude. He stretched out his hand, and without betraying, either by his countenance or motions, the least sign of weakness, or even of feeling, he held it in the flames till it was entirely consumed. His thoughts seemed wholly occupied with reflections on his former fault, and he called aloud several times, *this hand has offended*. Satisfied with that atonement, he then discovered a serenity in his countenance; and when the fire attacked his body he seemed to be quite insensible of his outward sufferings, and by the force of hope and resolution, to have collected his mind altogether within itself, and to repel the fury of the flames. It is pretended that after his body was consumed, his heart was found entire and untouched amidst the ashes; an event which, as it was the emblem of his constancy, was fondly believed by the zealous protestants. He was, undoubtedly, a man of merit; possessed of learning and capacity, and adorned with candour, sincerity, and beneficence, and all those virtues which were fitted to render him useful and amiable in society. His moral qualities procured him universal respect; and the courage of his martyrdom, though he fell short of the rigid inflexibility observed in many, made him the hero of the protestant party.<sup>1</sup>

After Cranmer's death, cardinal Pole, who had now taken priest's orders, was installed in the see of Canterbury; and was thus, by his office as well as his commission of legate, placed at the head of the church of England. But though he was averse to all sanguinary methods of converting heretics, and deemed the reformation of the clergy the more effectual, as the more laudable expedient for that purpose,<sup>2</sup> he found his authority too weak to oppose the barbarous and bigoted disposition of the queen, and of her counsellors. He himself, he knew, had been suspected of Lutheranism; and as Paul, the reigning pope, was a furious persecutor and his personal enemy, he was prompted by the modesty of his disposition to reserve his credit for other occasions, in which he had a greater probability of success.<sup>3</sup>

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<sup>1</sup> Burnet, vol. ii. p. 331, 332, &c. Godwin, p. 352. <sup>2</sup> Burnet, vol. ii. p. 324, 325. <sup>3</sup> Heylin, p. 68, 69. Burnet, vol. ii. p. 327.



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The great object of the queen was, to engage the nation in the war which was kindled between France and Spain; and cardinal Pole, with many other counsellors, openly and zealously opposed this measure. Besides insisting on the marriage articles, which provided against such an attempt, they represented the violence of the domestic factions in England, and the disordered state of the finances: and they foreboded, that the tendency of all these measures was, to reduce the kingdom to a total dependence on Spanish counsels. Philip had come to London in order to support his partisans; and he told the queen, that if he were not gratified in so reasonable a request, he never more would set foot in England. This declaration extremely heightened her zeal for promoting his interests, and overcoming the inflexibility of her council. After employing other menaces of a more violent nature, she threatened to dismiss all of them, and to appoint counsellors more obsequious; yet could she not procure a vote for declaring war with France. At length one Stafford and some other conspirators, were detected in a design of surprising Scarborough;<sup>1</sup> and a confession being extorted from them, that they had been encouraged by Henry in the attempt, the queen's importunity prevailed; and it was determined to make this act of hostility, with others of a like secret and doubtful nature, the ground of the quarrel. War was accordingly declared against France; and preparations were every where made for attacking that kingdom.

The revenue of England at that time little exceeded three hundred thousand pounds.<sup>2</sup> Any considerable supplies could scarcely be expected from parliament, considering the present disposition of the nation; and as the war would sensibly diminish that branch arising from the customs, the finances, it was foreseen, would fall short, even of the ordinary charges of government; and must still more prove unequal to the expenses of war. But though the queen owed great arrears to all her servants, besides the loans extorted from her subjects, these considerations had no influence with her; and in order to support her warlike preparations, she continued to levy money in the same arbitrary and violent manner, which she had formerly practised. She obliged the city of London to supply her with sixty thousand pounds on her husband's entry; she levied, before the legal time, the second year's subsidy voted by parliament; she issued anew many privy seals, by which she procured loans from her people; and having equipped a fleet, which she could not victual by reason of the dearth of provisions, she seized all the corn she could find in Suffolk and Norfolk, without paying any price to the owners. By all these expedients, assisted by the power of pressing, she levied an army of ten thousand men, which she sent over to the Low Countries, under the command of the earl of Pembroke.

<sup>1</sup> Heylin, p. 72. Burnet, vol. ii. p. 351. Sir James Melvil's Memoirs.

<sup>2</sup> Rossi, Successi d'Inghilterra.



Meanwhile, in order to prevent any disturbance at home, many of the most considerable gentry were thrown into the Tower; and lest they should be known, the Spanish practice was followed: they either were carried thither in the night-time, or were hoodwinked and muffled by the guards who conducted them.<sup>1</sup>

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The king of Spain had assembled an army, which, after the junction of the English, amounted to above sixty thousand men, conducted by Philibert, duke of Savoy, one of the greatest captains of the age. The constable, Montmorency, who commanded the French army, had not half the number to oppose to him. The duke of Savoy, after menacing Mariembourg and Rocroy, suddenly sat down before St. Quintin; and as the place was weak, and ill provided with a garrison, he expected in a few days to become master of it. But admiral Coligny, governor of the province, thinking his honour interested, to save so important a fortress, threw himself into St. Quintin, with some troops of French and Scottish gendarmes; and by his exhortations and example, animated the soldiers to a vigorous defence. He despatched a messenger to his uncle, Montmorency, desiring a supply of men; and the constable approached the place with his whole army, in order to facilitate the entry of these succours. But the duke of Savoy, falling on the reinforcement, did such execution upon them, that not above five hundred got into the place. He next made an attack on the French army, and put them to total rout, killing four thousand men, and dispersing the remainder. In this unfortunate action many of the chief nobility of France were either slain or taken prisoners: among the latter, was the old constable himself, who fighting valiantly, and resolute to die, rather than survive his defeat, was surrounded by the enemy, and thus fell alive into their hands. The whole kingdom of France was thrown into consternation: Paris was attempted to be fortified in a hurry; and had the Spaniards presently marched thither, it could not have failed to fall into their hands. But Philip was of a cautious temper; and he determined first to take St. Quintin, in order to secure a communication with his own dominions. A very little time, it was expected, would finish this enterprise; but the bravery of Coligny still prolonged the siege seventeen days, which proved the safety of France. Some troops were levied and assembled. Couriers were sent to recal the duke of Guise and his army from Italy: and the French, having recovered from their first panic, put themselves in a posture of defence. Philip, after taking Ham and Catelet, found the season so far advanced, that he could attempt no other enterprise: he broke up his camp, and retired to winter quarters.

But the vigilant activity of Guise, not satisfied with securing the frontiers, prompted him, in the depth of winter, to plan an enterprise, which France, during her greatest successes, had always regarded as impracticable, and had never thought of un-

<sup>1</sup> Strype's Eccles. Mem. vol. iii. p. 377

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Calais taken by the French.

dertaking. Calais was in that age deemed an impregnable fortress; and as it was known to be the favourite of the English nation, by whom it could easily be succoured, the recovery of that place by France was considered as totally desperate. But Coligny had remarked, that as the town of Calais was surrounded with marshes, which during the winter were impassable, except over a dyke guarded by two castles, St. Agatha and Newnam bridge, the English were of late accustomed, on account of the lowness of their finances, to dismiss a great part of the garrison at the end of autumn, and to recal them in the spring, at which time alone they judged their attendance necessary. On this circumstance he had founded the design of making a sudden attack on Calais; he had caused the place to be secretly viewed by some engineers; and a plan of the whole enterprise being found among his papers, it served, though he himself was made prisoner on the taking of St. Quintin, to suggest the project of that undertaking, and to direct the measures of the duke of Guise.

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Several bodies of troops defiled towards the frontiers, on various pretences; and the whole being suddenly assembled, formed an army, with which Guise made an unexpected march towards Calais. At the same time, a great number of French ships being ordered into the channel, under colour of cruising on the English, composed a fleet, which made an attack, by sea, on the fortifications. The French assaulted St. Agatha with three thousand harquebusiers; and the garrison, though they made a vigorous defence, were soon obliged to abandon the place, and retreat to Newnam bridge. The siege of this latter place was immediately undertaken, and at the same time, the fleet battered the risbank, which guarded the entrance of the harbour; and both these castles seemed exposed to imminent danger. The governor, lord Wentworth, was a brave officer; but finding that the greater part of his weak garrison was enclosed in the castle of Newnam bridge and the risbank, he ordered them to capitulate, and to join him in Calais, which, without their assistance, he was utterly unable to defend. The garrison of Newnam bridge was so happy as to effect this purpose; but that of the risbank could not obtain such favourable conditions, and were obliged to surrender at discretion.

The duke of Guise, now holding Calais blockaded by sea and land, thought himself sure of succeeding in his enterprise; but in order to prevent all accident, he delayed not a moment the attack of the place. He planted his batteries against the castle, where he made a large breach; and having ordered Andelot, Coligny's brother, to drain the fosse, he commanded an assault, which succeeded; and the French made a lodgment in the castle. On the night following Wentworth attempted to recover his post; but having lost two hundred men, in a furious attack which he made upon it,<sup>1</sup> he found his garrison so weak,

<sup>1</sup> Thuan. lib. xx. chap. ii.

that he was obliged to capitulate. Ham and Guisnes fell soon after; and thus the duke of Guise, in eight days, during the depth of winter, made himself master of this strong fortress, that had cost Edward III. a siege of eleven months, at the head of a numerous army, which had that very year been victorious in the battle of Cressy. The English had held it above two hundred years; and, as it gave them an easy entrance into France, it was regarded as the most important possession belonging to the crown. The joy of the French was extreme, as well as the glory acquired by Guise, who, at the time when all Europe imagined France to be sunk by the unfortunate battle of St. Quintin, had, in opposition to the English and their allies, the Spaniards, acquired possession of a place which no former king of France, even during the distractions of the civil wars between the houses of York and Lancaster, had ever ventured to attempt. The English, on the other hand, bereaved of this valuable fortress, murmured loudly against the improvidence of the queen and her council; who, after engaging in a fruitless war, for the sake of foreign interests, had thus exposed the nation to so severe a disgrace. A treasury exhausted by expenses and burdened with debts; a people divided and dejected; a sovereign negligent of her people's welfare—were circumstances which, notwithstanding the fair offers and promises of Philip, gave them small hopes of recovering Calais. And as the Scots, instigated by French councils, began to move on the borders, they were now necessitated rather to look to their defence at home than to think of foreign conquests.

After the peace, which, in consequence of king Edward's treaty with Henry, took place between Scotland and England, the queen dowager, on pretence of visiting her daughter and her relations, made a journey to France, and she carried along with her the earls of Huntley, Sutherland, Marischal, and many of the principal nobility. Her secret design was, to take measures for engaging the earl of Arran to resign to her the government of the kingdom; and as her brothers, the duke of Guise, the cardinal of Lorraine and the duke of Aumale had uncontrolled influence in the court of France, she easily persuaded Henry, and by his authority the Scottish nobles, to enter into her measures. Having also gained Carnegy of Kinnaird, Panter, bishop of Ross, and Gavin Hamilton, commendator of Kilwinning, three creatures of the governor's, she persuaded him, by their means, to consent to this resignation;<sup>1</sup> and when every thing was thus prepared for her purpose, she took a journey to Scotland, and passed through England, in her way thither. Edward received her with great respect and civility, though he could not forbear attempting to renew the old treaty for his marriage with her daughter—a marriage, he said, so happily calculated for the tranquillity, interest

<sup>1</sup> Buchanan, lib. 14. Keith, p. 56. Spotswood, p. 92.

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and security of both kingdoms, and the only means of ensuring a durable peace between them. For his part, he added, he never could entertain a cordial amity for any other husband whom she could choose; nor was it easy for him to forgive a man, who, at the same time that he disappointed so natural an alliance, had bereaved him of a bride to whom his affections, from his earliest infancy, had been entirely engaged. The queen dowager eluded these applications, by telling him that if any measures had been taken disagreeable to him, they were entirely owing to the imprudence of the duke of Somerset, who, instead of employing courtesy, caresses and gentle offices, the proper means of gaining a young princess, had had recourse to arms and violence, and had constrained the Scottish nobility to send their sovereign into France, in order to interest that kingdom in protecting their liberty and independence.<sup>1</sup>

When the queen dowager arrived in Scotland, she found the governor very unwilling to fulfil his engagements; and it was not till after many delays that he could be persuaded to resign his authority. But finding that the majority of the young princess was approaching, and that the queen dowager had gained the affections of all the principal nobility, he thought it more prudent to submit; and having stipulated that he should be declared next heir to the crown, and should be freed from giving any account of his past administration, he placed her in possession of the power; and she thenceforth assumed the name of regent.<sup>2</sup> It was a usual saying of this princess, that, provided she could render her friends happy, and could ensure to herself a good reputation, she was entirely indifferent what befel her; and though this sentiment is greatly censured, by the zealous reformers,<sup>3</sup> as being founded wholly on secular motives, it discovers a mind well calculated for the government of kingdoms. D'Oisel, a Frenchman, celebrated for capacity, had attended her, as ambassador from Henry, but, in reality, to assist her with his counsels, in so delicate an undertaking as the administration of Scotland; and this man had formed a scheme for laying a general tax on the kingdom, in order to support a standing military force, which might at once repel the inroads of foreign enemies, and check the turbulence of the Scottish nobles. But though some of the courtiers were gained over to this project, it gave great and general discontent to the nation; and the queen regent, after ingenuously confessing that it would prove pernicious to the kingdom, had the prudence to desist from it, and to trust entirely for her security to the good will and affections of her subjects.<sup>4</sup>

This laudable purpose seemed to be the chief object of her administration; yet was she sometimes drawn from it by her connexions with France, and by the influence which her bro-

<sup>1</sup> Keith, p. 59.    <sup>2</sup> 12th April, 1554.    <sup>3</sup> Knox, p. 89.    <sup>4</sup> Keith, p. 70. Buchanan, lib. 16.



thers had acquired over her. When Mary commenced hostilities against that kingdom, Henry required the queen regent to take part in the quarrel; and she summoned a convention of states at Newbottle, and requested them to concur in a declaration of war against England. The Scottish nobles, who were become as jealous of French, as the English were of Spanish influence, refused their assent; and the queen was obliged to have recourse to stratagem, in order to effect her purpose. She ordered d'Oisel to begin some fortifications at Eymouth, a place which had been dismantled, by the last treaty with Edward; and when the garrison of Berwick, as she foresaw, made an inroad to prevent the undertaking, she effectually employed this pretence to inflame the Scottish nation, and to engage them in hostilities against England.<sup>1</sup> The enterprises, however, of the Scots, proceeded no farther than some inroads on the borders: when d'Oisel, of himself, conducted artillery and troops, to besiege the castle of Werke, he was recalled, and sharply rebuked by the council.<sup>2</sup>

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In order to connect Scotland more closely with France, and to increase the influence of the latter kingdom, it was thought proper by Henry, to celebrate the marriage between the young queen and the dauphin; and a deputation was sent by the Scottish parliament, to assist at the ceremony, and to settle the terms of the contract.

Marriage  
of the dau-  
phin and  
the queen  
of Scots.

The close alliance between France and Scotland threatened very nearly the repose and security of Mary; and it was foreseen, that though the factions and disorders, which might naturally be expected in the Scottish government during the absence of the sovereign, would make its power less formidable, that kingdom would, at least, afford to the French a means of invading England. The queen, therefore, found it necessary to summon a parliament, and to demand of them some supplies to her exhausted exchequer. As such an emergency usually gives great advantage to the people, and as the parliaments, during this reign, had shown, that where the liberty and independency of the kingdom was menaced with imminent danger, they were not entirely overawed by the court; we shall naturally expect, that the late arbitrary methods of extorting money should at least be censured; and, perhaps, some remedy be for the future, provided against them. The commons, however, without making any reflections on the past, voted, besides a fifteenth, a subsidy of four shillings in the pound on land, and two shillings and eight pence on goods. The clergy granted eight shillings in the pound, payable, as was also the subsidy of the laity, in four years, by equal portions.

20th Jan.  
A parlia-  
ment.

The parliament also passed an act, confirming all the sales and grants of crown lands, which either were already made by the queen, or should be made during the seven ensuing years.

<sup>1</sup> Buchanan, lib. 16. Thuan. lib. xix. c. 7. <sup>2</sup> Knox, p. 93.

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It was easy to foresee that in Mary's present disposition and situation, this power would be followed by a great alienation of the royal demesnes; and nothing could be more contrary to the principles of good government, than to establish a prince with very extensive authority, yet permit him to be reduced to beggary. This act met with opposition in the house of commons. One Copley expressed his fears, lest the queen, under colour of the power there granted, might alter the succession, and alienate the crown from the lawful heir: but his words were thought *irreverent* to her majesty: he was committed to the custody of the serjeant at arms; and though he expressed sorrow for this offence, he was not released till the queen was applied to for his pardon.

The English nation, during this whole reign, were under great apprehensions, with regard, not only to the succession, but the life of the lady Elizabeth. The violent hatred which the queen bore to her broke out on every occasion; and it required all the authority of Philip, as well as her own great prudence, to prevent the fatal effects of it. The princess retired into the country; and, knowing that she was surrounded with spies, she passed her time wholly in reading and study, intermeddled in no business, and saw very little company. While she remained in this situation, which, for the present, was melancholy, but which prepared her mind for those great actions by which her life was afterwards so much distinguished, proposals of marriage were made to her, by the Swedish ambassador, in his master's name. As her first question was, whether the queen had been informed of these proposals? the ambassador told her, that his master thought, as he was a gentleman, it was his duty first to make his addresses to herself; and having obtained her consent, he would next, as a king, apply to her sister. But the princess would allow him to proceed no farther; and the queen, after thanking her for this instance of duty, desired to know how she stood affected to the Swedish proposals. Elizabeth, though exposed to many present dangers and mortifications, had the magnanimity to reserve herself for better fortune; and she covered her refusal with professions of a passionate attachment to a single life, which she said she infinitely preferred before any other.<sup>1</sup> The princess showed like prudence, in concealing her sentiments of religion, in complying with the present modes of worship, and in eluding all questions with regard to that delicate subject.<sup>2</sup>

The money granted by parliament, enabled the queen to fit out a fleet of a hundred and forty sail, which, being joined by thirty Flemish ships, and carrying six thousand land forces on board, was sent to make an attempt on the coast of Brittany.

<sup>1</sup> Burnet, vol. ii. Collect. No. 37. <sup>2</sup> The common net, at that time, says Sir Richard Baker, for catching of protestants, was the real presence; and this net was used to catch the lady Elizabeth: for being asked, one time, what

The fleet was commanded by lord Clinton; the land forces, by the earls of Huntingdon and Rutland. But the equipment of the fleet and army was so dilatory, that the French got intelligence of the design, and were prepared to receive them. The English found Brest so well guarded as to render an attempt on that place impracticable; but, landing at Conquet, they plundered and burned the town, with some adjacent villages, and were proceeding to commit great disorders, when Kersimon, a Breton gentleman, at the head of some militia, fell upon them, put them to rout, and drove them to their ships, with considerable loss. But a small squadron of ten English ships had an opportunity of amply revenging this disgrace upon the French. The mareschal de Thermes, governor of Calais, had made an irruption into Flanders, with an army of fourteen thousand men; and having forced a passage over the river Aa, had taken Dunkirk and Berg St. Winoc, and had advanced as far as Newport; but count Egmont coming suddenly upon him with superior forces, he was obliged to retreat; and upon being overtaken by the Spaniards, near Gravelines, and finding a battle inevitable, he chose very skilfully his ground for the engagement. He fortified his left wing, with all the precautions possible: and posted his right along the river Aa, which he reasonably thought gave him full security from that quarter. But the English ships, which were accidentally upon the coast, being drawn by the noise of the firing, sailed up the river, and flanking the French, did such execution, by their artillery, that they put them to flight; and the Spaniards gained a complete victory.<sup>1</sup>

Meanwhile, the principal army of France, under the duke of Guise, and that of Spain under the duke of Savoy, approached each other, on the frontiers of Picardy; and as the two kings had come into their respective camps, attended by the flower of their nobility, men expected that some great and important event would follow, from the emulation of these warlike nations. But Philip, though actuated by the ambition, possessed not the enterprising genius of a conqueror; and he was willing, notwithstanding the superiority of his numbers, and the two great victories which he had gained at St. Quintin and Gravelines, to

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she thought of the words of Christ, *This is my body*, whether she thought it the true body of Christ that was in the sacrament? It is said that, after some pausing, she thus answered:

Christ was the word that spake it,  
He took the bread and brake it;  
And what the word did make it,  
That I believe, and take it.

Which, though it may seem but a light expression, yet hath it more solidness, than at first sight appears; at least, it served her turn, at that time, to escape the net, which, by a direct answer, she could not have done. Baker's Chronicle, p. 320.

<sup>1</sup> Holingshed, p. 1150.



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put a period to the war, by treaty. Negotiations were entered into for that purpose; and, as the terms offered by the two monarchs were somewhat wide of each other, the armies were put into winter quarters, till the princes could come to better agreement. Among other conditions, Henry demanded the restitution of Navarre to its lawful owner; Philip that of Calais, and its territory to England; but in the midst of these negotiations, news arrived of the death of Mary; and Philip, no longer connected with England, began to relax in his firmness, on that capital article. This was the only circumstance that could have made the death of that princess be regretted by the nation.

Mary had long been in a declining state of health; and, having mistaken her dropsy for a pregnancy, she had made use of an improper regimen, and her malady daily augmented. Every reflection now tormented her. The consciousness of being hated by her subjects; the prospect of Elizabeth's succession; apprehensions of the danger to which the catholic religion stood exposed; dejection for the loss of Calais; concern for the ill state of her affairs; and above all, anxiety for the absence of her husband, who, she knew, intended soon to depart for Spain, and to settle there during the remainder of his life; all these melancholy reflections preyed upon her mind, and threw her into a lingering fever, of which she died after a short and unfortunate reign, of five years, four months, and eleven days.

Death of  
the queen  
17th Nov.

It is not necessary to employ many words, in drawing the character of this princess. She possessed few qualities, either estimable or amiable; and her person was as little engaging as her behaviour and address. Obstinacy, bigotry, violence, cruelty, malignity, revenge, tyranny; every circumstance of her character took a tincture from her bad temper and narrow understanding. And, amidst that complication of vices, which entered into her composition, we shall scarcely find any virtue but sincerity, a quality which she seems to have maintained throughout her whole life; except in the beginning of her reign, when the necessity of her affairs obliged her to make some promises to the protestants, which she certainly never intended to perform. But in these cases a weak, bigoted woman, under the government of priests, easily finds casuistry sufficient to justify to herself the violation of a promise. She appears, also, as well as her father, to have been susceptible of some attachments of friendship; and that without the caprice and inconstancy which were so remarkable in the conduct of that monarch. To which we may add, that in many circumstances of her life she gave indications of resolution and vigour of mind; a quality which seems to have been inherent in her family.

Cardinal Pole had long been sickly, from an intermitting fever; and he died the same day with the queen, about sixteen hours after her. The benign character of this prelate, the modesty and humanity of his deportment, made him be universally



beloved; insomuch, that in a nation where the most furious persecution was carried on, and where the most violent religious factions prevailed, entire justice, even by most of the reformers, has been done to his merit. The haughty pontiff, Paul IV. had entertained some prejudices against him: and, when England declared war against Henry, the ally of that pope, he seized the opportunity of revenge; and, revoking Pole's legatine commission, appointed in his room cardinal Peyto, an observantine friar, and confessor to the queen. But Mary would never permit the new legate to act upon the commission; and Paul was afterwards obliged to restore cardinal Pole to his authority.

There occur few general remarks, besides what have already been made in the course of our narration, with regard to the general state of the kingdom during this reign. The naval power of England was then so inconsiderable, that fourteen thousand pounds being ordered to be applied to the fleet, both for repairing and victualling it, it was computed, that ten thousands pounds a year would afterwards answer all the necessary charges.<sup>1</sup> The arbitrary proceedings of the queen, above mentioned, joined to many monopolies granted by this princess, as well as by her father, checked the growth of commerce; and so much the more, as all other princes in Europe either were not permitted, or did not find it necessary, to proceed in so tyrannical a manner. Acts of parliament, both in the last reign, and in the beginning of the present, had laid the same impositions on the merchants of the stillyard, as on their aliens: yet the queen, immediately after her marriage, complied with the solicitations of the emperor, and by her prerogative suspended those laws.<sup>2</sup> Nobody, in that age, pretended to question this exercise of prerogative. The historians are entirely silent with regard to it; and it is only by the collection of public papers that it is handed down to us.

An absurd law had been made, in the preceding reign, by which every one was prohibited from making cloth, unless he had served an apprenticeship of seven years. The law was repealed in the first year of the queen; and this plain reason given, that it had occasioned the decay of the woollen manufactory, and had ruined several towns.<sup>3</sup> It is strange, that Edward's law should have been revived during the reign of Elizabeth; and still more strange, that it should still subsist.

A passage to Archangel had been discovered by the English, during the last reign; and a beneficial trade with Muscovy had been established. A solemn embassy was sent by the czar to queen Mary. The ambassadors were shipwrecked on the coast of Scotland; but being hospitably entertained there, they proceeded on their journey, and were received at London,

<sup>1</sup> Burnet, vol. iii. p. 259. cap. 7.

<sup>2</sup> Rymer, vol. xv. p. 364.

<sup>3</sup> 1 Mar. Par. ii.

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with great pomp and solemnity.<sup>1</sup> This seems to have been the first intercourse which that empire had with any of the western potentates of Europe.

A law was passed, in this reign,<sup>2</sup> by which the number of horses, arms, and furniture, was fixed, which each person, according to the extent of his property, should be provided with, for the defence of the kingdom. A man of a thousand pounds a year, for instance, was obliged to maintain, at his own charge, six horses, fit for demi-lances, of which three at least, to be furnished with sufficient harness, steel saddles, and weapons proper for the demi-lances; and ten horses fit for light horsemen; with furniture and weapons proper for them: he was obliged to have forty corslets furnished; fifty almain revets, or, instead of them, forty coats of plate, corslets or brigandines, furnished; forty pikes, thirty long bows, thirty sheafs of arrows, thirty steel caps, or skulls, twenty black bills, or halberts, twenty harquebuts, and twenty morions, or sallets. We may remark that a man of a thousand marks of stock, was rated equal to one of two hundred pounds a year: a proof, that few or none, at that time, lived on their stock in money, and that great profits were made by the merchants, in the course of trade. There is no class above a thousand pounds a year.

We may form a notion of the little progress made in arts and refinement, about this time, from one circumstance: a man of no less rank than the comptroller of Edward VI's household, paid only thirty shillings a year, of our present money, for his house in Channel row:<sup>3</sup> yet labour and provisions, and consequently houses, were only about a third of the present price. Erasmus ascribes the frequent plagues in England to the nastiness and dirt, and slovenly habits among the people. "The floors," says he, "are commonly of clay, strewed with rushes, under which lies, unmolested, an ancient collection of beer, grease, fragments, bones, spittle, excrements of dogs and cats, and every thing that is nasty."<sup>4</sup>

Holingshed, who lived in queen Elizabeth's reign, gives a very curious account of the plain, or rather rude way of living, of the preceding generation. There scarcely was a chimney to the houses, even in considerable towns: the fire was kindled by the wall, and the smoke sought its way out at the roof, or door, or windows; the houses were nothing but watling, plastered over with clay: the people slept on straw pallets, and had a good round log under their head, for a pillow: and almost all the furniture and utensils were of wood.\*

In this reign, we find the first general law, with regard to highways, which were appointed to be repaired, by parish duty, all over England.<sup>5</sup>

<sup>1</sup> Holingshed, p. 732. Heylin, p. 71. <sup>2</sup> 4 & 5 Phil. and Mar. cap. 2. <sup>3</sup> Nicholson's Historical Library. <sup>4</sup> Eras. Epist. 432. \* See note [G2] at the end of the volume. <sup>5</sup> 2 & 3 Phil. and Mar. cap. 8.

## CHAPTER XXXVIII.

## ELIZABETH.

Queen's Popularity—Re-establishment of the Protestant Religion—A Parliament—Peace with France—Disgust between the Queen and Mary, Queen of Scots—Affairs of Scotland—Reformation in Scotland—Civil Wars in Scotland—Interposal of the Queen in the Affairs of Scotland—Settlement of Scotland—French Affairs—Arrival of Mary in Scotland—Bigotry of the Scotch Reformers—Wise Government of Elizabeth.

IN a nation so divided as the English, it could scarcely be expected that the death of one sovereign, and the accession of another, who was generally believed to have embraced opposite principles to those which prevailed, could be the object of universal satisfaction; yet so much were men displeased with the present conduct of affairs, and such apprehensions were entertained of futurity, that the people, overlooking their theological disputes, expressed a general and unfeigned joy that the sceptre had passed into the hand of Elizabeth. That princess had discovered great prudence in her conduct, during the reign of her sister; and as men were sensible of the imminent danger to which she was every moment exposed, compassion towards her situation, and concern for her safety, had rendered her, to an uncommon degree, the favourite of the nation. A parliament had been assembled a few days before Mary's death; and when Heathe, archbishop of York, then chancellor, notified to them that event, scarcely an interval of regret appeared; and the two houses immediately resounded with the joyful acclamations of "God save queen Elizabeth; long and happily may she reign!" The people, less actuated by faction, and less influenced by private views, expressed a joy still more general and hearty, on her proclamation; and the auspicious commencement of this reign prognosticated that felicity and glory which, during its whole course, so uniformly attended it.<sup>1</sup>

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popularity

Elizabeth was at Hatfield when she heard of her sister's death; and after a few days she went thence to London, through crowds of people, who strove with each other in giving her the strongest testimony of their affection. On her entrance into the Tower, she could not forbear reflecting on the great difference between her present fortune, and that which, a few years before, had attended her, when she was conducted to that place as a prisoner, and lay there, exposed to all the bigoted malignity of her enemies. She fell on her knees, and expressed her thanks to Heaven for the deliverance which the Almighty had granted her from her bloody persecutors; a deliverance, she said, no less miracu-

<sup>1</sup> Burnet, vol. ii. p. 373.



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 XXXVIII. This act of pious gratitude seems to have been the last circumstance in which she remembered any past hardships and injuries. With a prudence and magnanimity truly laudable, she buried all offences in oblivion, and received with affability even those who had acted with the greatest malevolence against her. Sir Harry Bennifield himself, to whose custody she had been committed, and who had treated her with severity, never felt, during the whole course of her reign, any effects of her resentment.<sup>1</sup> Yet was not the gracious reception which she gave prostitute and undistinguishing. When the bishops came, in a body, to make their obeisance to her, she expressed to all of them sentiments of regard, except to Bonner, from whom she turned aside, as from a man polluted with blood, who was a just object of horror to every heart susceptible of humanity.<sup>2</sup>

After employing a few days in ordering her domestic affairs, Elizabeth notified to foreign courts her sister's death, and her own accession. She sent lord Cobham to the Low Countries, where Philip then resided; and she took care to express to that monarch her gratitude for the protection which he had afforded her, and her desire of persevering in that friendship which had so happily commenced between them. Philip, who had long foreseen this event, and who still hoped, by means of Elizabeth, to obtain that dominion over England of which he had failed in espousing Mary, immediately despatched orders to the duke of Feria, his ambassador at London, to make proposals of marriage to the queen; and he offered to procure from Rome a dispensation for that purpose. But Elizabeth soon came to the resolution of declining the proposal. She saw that the nation had entertained an extreme aversion to the Spanish alliance, during her sister's reign, and that one great cause of the popularity which she herself enjoyed, was the prospect of being freed, by her means, from the danger of foreign subjection. She was sensible that her affinity with Philip was exactly similar to that of her father with Catharine of Arragon, and that her marrying that monarch was, in effect, declaring herself illegitimate, and incapable of succeeding to the throne. And, though the power of the Spanish monarchy might still be sufficient, in opposition to all pretenders, to support her title, her masculine spirit disdained such precarious dominion, which, as it would depend solely on the power of another, must be exercised according to his inclinations.<sup>3</sup> But, while these views prevented her from entertaining any thoughts of a marriage with Philip, she gave him an obliging, though evasive answer; and he still retained such hopes of success that he sent a messenger to Rome, with orders to solicit the dispensation.

<sup>1</sup> Barnet, vol. ii. p. 374. <sup>2</sup> Ibid. Heylin, p. 103. <sup>3</sup> Camden in Kennet. p. 370. Barnet, vol. ii. p. 375.



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The queen, too, on her sister's death, had written to Sir Edward Carne, the English ambassador at Rome, to notify her accession to the pope; but the precipitate nature of Paul broke through all the cautious measures concerted by this young princess. He told Carne, that England was a fief of the holy see; and it was great temerity in Elizabeth to have assumed, without his participation, the title and authority of queen: that being illegitimate, she could not possibly inherit that kingdom; nor could he annul the sentence, pronounced by Clement VII. and Paul III. with regard to Henry's marriage: that were he to proceed with rigour, he should punish this criminal invasion of his rights, by rejecting all her applications; but, being willing to treat her with paternal indulgence, he would still keep the door of grace open to her: and that, if she would renounce all pretensions to the crown, and submit entirely to his will, she should experience the utmost lenity, compatible with the dignity of the apostolic see.<sup>1</sup> When this was reported to Elizabeth, she was astonished at the character of that aged pontiff; and having recalled her ambassador, she continued, with more determined resolution, to pursue those measures which already she had scarcely embraced.

The queen, not to alarm the partisans of the catholic religion, had retained eleven of her sister's counsellors; but, in order to balance their authority, she added eight more, who were known to be inclined to the protestant communion; the marquis of Northampton, the earl of Bedford, Sir Thomas Parry, Sir Edward Rogers, Sir Ambrose Cave, Sir Francis Knolles, Sir Nicholas Bacon, whom she created lord keeper, and Sir William Cecil, secretary of state.<sup>2</sup> With these counsellors, particularly Cecil, she frequently deliberated concerning the expediency of restoring the protestant religion, and the means of executing that great enterprise. Cecil told her, that the greater part of the nation had, ever since her father's reign, inclined to the reformation; and, though her sister had constrained them to profess the ancient faith, the cruelties exercised by her ministers had still more alienated their affections from it: that, happily, the interests of the sovereign here concurred with the inclinations of the people; nor was her title to the crown compatible with the authority of the Roman pontiff: that a sentence, so solemnly pronounced by two popes, against her mother's marriage, could not possibly be recalled, without inflicting a mortal wound on the credit of the see of Rome; and even, if she were allowed to retain the crown, it would only be on an uncertain and dependent footing: that this circumstance alone, counterbalanced all dangers whatsoever; and these dangers themselves, if narrowly examined, would be found very little formidable: that the curses and execrations of the Romish church, when not seconded by military force, were, in the present age, more an object of ridicule than

Re-establishment  
of the protestant  
religion.

<sup>1</sup> Father Paul, lib. 5.

<sup>2</sup> Strype's Ann. vol. i. p. 5.

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of terror; and had now as little influence in this world as in the next: that, though the bigotry or ambition of Henry, or Philip, might incline them to execute a sentence of excommunication against her, their interests were so incompatible, that they never could concur in any plan of operations; and the enmity of the one would always ensure to her the friendship of the other: that, if they encouraged the discontents of her catholic subjects, their dominions also abounded with protestants; and it would be easy to retaliate upon them: that even such of the English as seemed, at present, zealously attached to the catholic faith, would most of them embrace the religion of their new sovereign; and the nation had of late been so much accustomed to these revolutions, that men had lost all idea of truth and falsehood, in such subjects: that the authority of Henry VIII. so highly raised, by many concurring circumstances, first inured the people to this submissive deference; and it was the less difficult for succeeding princes to continue the nation in a track, to which it had so long been accustomed: and, that it would be easy for her, by bestowing on protestants all preferment in civil offices, and the militia, the church and the universities, both to ensure her own authority, and to render her religion entirely predominant<sup>1</sup>

The education of Elizabeth, as well as her interest, led her to favour the reformation; and she remained not long in suspense, with regard to the party which she should embrace. But though determined, in her own mind, she resolved to proceed by gradual and secure steps, and not to imitate the example of Mary, in encouraging the bigots of her party to make, immediately, a violent invasion on the established religion.<sup>2</sup> She thought it requisite, however, to discover such symptoms of her intentions, as might give encouragement to the protestants, so much depressed by the late violent persecutions. She immediately recalled all the exiles, and gave liberty to the prisoners who were confined on account of religion. We are told of a pleasantry of one Rainsford, on this occasion; who said to the queen, that he had a petition to present her, in behalf of other prisoners, called Matthew, Mark, Luke, and John: she readily replied, that it behoved her, first to consult the prisoners themselves, and to learn of them whether they desired that liberty which he demanded for them.<sup>3</sup>

Elizabeth also proceeded to exert, in favour of the reformers, some acts of power, which were authorized by the extent of royal prerogative during that age. Finding that the protestant teachers, irritated by persecution, broke out into a furious attack on the ancient superstition, and that the Romanists replied with no less zeal and acrimony, she published a proclamation, by which she inhibited all preaching without a spe-

<sup>1</sup> Burnet, vol. ii. p. 377. Camden. p. 370. <sup>2</sup> Burnet, vol. ii. p. 378. Camden, p. 371. <sup>3</sup> Heylin, p. 103.

cial license;<sup>1</sup> and though she dispensed with these orders, in favour of some preachers of her own sect, she took care that they should be the most calm and moderate of the party. She also suspended the laws so far as to order a great part of the service, the litany, the Lord's prayer, the creed and the gospels, to be read in English. And having first published injunctions, that all the churches should conform themselves to the practice of her own chapel, she forbade the hoste to be any more elevated in her presence; an innovation which, however frivolous it may appear, implied the most material consequences.<sup>2</sup>

These declarations of her intention concurring with preceding suspicions, made the bishops foresee with certainty a revolution in religion. They therefore refused to officiate at her coronation; and it was with some difficulty that the bishop of Carlisle was, at last, prevailed on to perform the ceremony. When she was conducted through London, amidst the joyful acclamations of her subjects, a boy, who personated Truth, was let down from one of the triumphal arches, and presented to her a copy of the Bible. She received the book with the most gracious deportment, placed it next her bosom, and declared that amidst all the costly testimonies which the city had that day given her of their attachment, this present was by far the most precious and most acceptable.<sup>3</sup> Such were the innocent artifices by which Elizabeth insinuated herself into the affections of her subjects. Open in her address, gracious and affable in all public appearances, she rejoiced in the concourse of her subjects, entered into all their pleasures and amusements, and without departing from her dignity, which she knew well how to preserve, she acquired a popularity beyond what any of her predecessors or successors ever could attain. Her own sex exulted to see a woman hold the reins of empire with such prudence and fortitude: and while a young princess, of twenty-five years (for that was her age, at her accession) who possessed all the graces and insinuation, though not all the beauty of her sex, courted the affections of individuals by her civilities, of the public by her services, her authority, though corroborated by the strictest bands of law and religion, appeared to be derived entirely from the choice and inclination of the people.

A sovereign of this disposition was not likely to offend her subjects by any useless or violent exertions of power; and Elizabeth, though she threw out such hints as encouraged the protestants, delayed the entire change of religion till the meeting of the parliament, which was summoned to assemble. The elections had gone entirely against the catholics, who seemed not, indeed, to have made any great struggle for the superiority;<sup>4</sup>

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<sup>1</sup> Heylin, p. 104. Strype, vol. i. p. 41. <sup>2</sup> Camden, p. 371. Heylin, p. 104. Strype, vol. i. p. 54. Stowe, p. 635. <sup>3</sup> Burnet, vol. ii. p. 380. Strype, vol. i. p. 29. <sup>4</sup> Notwithstanding the bias of the nation towards the protestant sect, it appears that some violence, at least according to our present ideas,

A parliament.



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 XXXVIII. every particular which she could desire of them. They began  
 1558. the session with an unanimous declaration, "that queen Eliza-  
 " beth was, and ought to be, as well by the word of God, as  
 " the common and statute laws of the realm, the lawful, un-  
 " doubted, and true heir to the crown, lawfully descended from  
 " the blood royal, according to the order of succession, settled  
 " in the 35th of Henry VIII."<sup>1</sup> This act of recognition was  
 probably dictated by the queen herself and her ministers; and  
 she showed her magnanimity, as well as moderation, in the terms  
 which she employed on that occasion. She followed not Mary's  
 practice, in declaring the validity of her mother's marriage,  
 or in expressly repealing the act formerly made against her  
 own legitimacy; she knew that this attempt must be attended  
 with reflections on her father's memory, and on the birth of her  
 deceased sister; and as all the world was sensible that Henry's  
 divorce from Anne Boleyn was merely the effect of his  
 usual violence and caprice, she scorned to found her title on any  
 act of an assembly, which had too much prostituted its authority  
 by its former variable, servile, and iniquitous decisions. Satisfied,  
 therefore, in the general opinion entertained with regard to this  
 fact, which appeared the more undoubted, the less anxiety she  
 discovered in fortifying it by votes and inquiries, she took possession  
 of the throne, both as her birthright and as ensured to her  
 by former acts of parliament; and she never appeared anxious to  
 distinguish these titles.<sup>2</sup>

The first bill brought into parliament, with a view of trying  
 their disposition on the head of religion, was that for suppressing  
 the monasteries lately erected, and for restoring the tenths  
 and first fruits to the queen. This point being gained with  
 much difficulty, a bill was next introduced annexing the su-  
 premacy to the crown; and though the queen was there denomi-  
 nated *governess*, not *head* of the church, it conveyed the same  
 extensive power which, under the latter title, had been exer-  
 cised by her father and brother. All the bishops who were  
 present in the upper house strenuously opposed this law; and  
 as they possessed more learning than the temporal peers, they  
 triumphed in the debate; but the majority of voices in that  
 house, as well as among the commons, was against them. By  
 this act the crown, without the concurrence either of the par-  
 liament, or even of the convocation, was vested with the whole  
 spiritual power; might repress all heresies; might establish or  
 repeal all canons; might alter every point of discipline; and

was used in these elections; five candidates were nominated by the court  
 to each borough, and three to each county; and by the sheriff's authority,  
 the members were chosen from among these candidates. See *state papers*  
*collected by Edward, earl of Clarendon*, p. 92.

<sup>1</sup> 1 Eliz. cap. 3. <sup>2</sup> Camden, p. 372. Heylin, p. 107, 108.



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might ordain or abolish any religious rite or ceremony.<sup>1</sup> In determining heresy, the sovereign was only limited (if that could be called a limitation) to such doctrines as had been adjudged heresy by the authority of the Scripture, by the first four general councils, or by any general council, which followed the Scripture as their rule, or to such other doctrines as should, hereafter, be denominated heresy by the parliament and convocation. In order to exercise this authority, the queen, by a clause of the act, was empowered to name commissioners, either laymen or clergymen, as she should think proper; and on this clause was afterwards founded the court of ecclesiastical commission; which assumed large discretionary, not to say arbitrary powers, totally incompatible with any exact boundaries in the constitution. Their proceedings, indeed, were only consistent with absolute monarchy; but were entirely suitable to the genius of the act on which they were established; an act that at once gave to the crown alone all the power which had formerly been claimed by the popes, but which even these usurping prelates had never been able fully to exercise, without some concurrence of the national clergy.

Whoever refused to take an oath, acknowledging the queen's supremacy, was incapacitated from holding any office; whoever denied the supremacy, or attempted to deprive the queen of that prerogative, forfeited, for the first offence, all his goods and chattels; for the second, was subjected to the penalty of a premunire; but the third offence was declared treason. These punishments, however severe, were less rigorous than those which were formerly, during the reigns of her father and brother, inflicted in like cases.

A law was passed, confirming all the statutes enacted in king Edward's time, with regard to religion;<sup>2</sup> the nomination of bishops was given to the crown, without any election of the chapters: the queen was empowered, on the vacancy of any see, to seize all the temporalities, and to bestow on the bishop elect an equivalent, in the impropriations belonging to the crown. This pretended equivalent was commonly much inferior in value; and thus the queen, amidst all her concern for religion, followed the example of the preceding reformers, in committing depredations on the ecclesiastical revenues.

The bishops, and all incumbents, were prohibited from alienating their revenues, and from letting leases longer than twenty-one years, or three lives. This law seemed to be meant for securing the property of the church; but as an exception was left in favour of the crown, great abuses still prevailed. It was usual for the courtiers, during this reign, to make an agreement with a bishop or incumbent, and to procure a fictitious alienation to the

<sup>1</sup> 1 Eliz. cap. 1. This last power was anew recognised in the act of uniformity, 1 Eliz. cap. 2.    <sup>2</sup> 1 Eliz. cap. 2.

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 XXXVIII. on. This method of pillaging the church was not remedied till  
 1558. the beginning of James I. The present depression of the clergy  
 exposed them to all injuries; and the laity never stopped, till  
 they had reduced the church to such poverty, that her plunder was  
 no longer a compensation for the odium incurred by it.

A solemn and public disputation was held during this session, in presence of lord keeper Bacon, between the divines of the protestant and those of the catholic communion. The champions appointed to defend the religion of the sovereign were, as in all former instances, entirely triumphant; and the popish disputants being pronounced refractory and obstinate, were even punished by imprisonment.<sup>2</sup> Emboldened by this victory, the protestants ventured on the last and most important step, and brought into parliament a bill<sup>3</sup> for abolishing the mass, and re-establishing the liturgy of king Edward. Penalties were enacted, as well against those who departed from this mode of worship, as against those who absented themselves from the church and the sacraments. And thus, in one session, without any violence, tumult or clamour, was the whole system of religion altered on the very commencement of a reign, and by the will of a young woman, whose title to the crown was, by many, thought liable to great objections: an event which, though it may appear surprising to men in the present age, was every where expected on the first intelligence of Elizabeth's accession.

The commons, also, made a sacrifice to the queen more difficult to obtain than that of any articles of faith: they voted a subsidy of four shillings in the pound on land, and two shillings and eight pence on moveables, together with two fifteenths.\* The house, in no instance, departed from the most respectful deference and complaisance towards the queen. Even the importunate address which they made her on the conclusion of the session, to fix her choice of a husband, could not, they supposed, be very disagreeable to one of her sex and age. The address was couched in the most respectful expressions; yet met with a refusal from the queen. She told the speaker, that, as the application from the house was conceived in general terms, only recommending marriage, without pretending to direct her choice of a husband, she could not take offence at the address, or regard it otherwise than as a new instance of their affectionate attachment to her: that any farther interposition on their part would have ill become either them to make, as subjects, or her to bear, as an independent princess: that, even while she was a private person, and exposed to much danger, she had always declined that engagement, which she regarded as an incumbrance; much more, at present,

<sup>1</sup> Strype, vol. i. p. 79. <sup>2</sup> Ibid. p. 95. <sup>3</sup> 1 Eliz. cap. 2. \* See note [112] at the end of the volume.

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would she persevere in this sentiment, when the charge of a great kingdom was committed to her, and her life ought to be entirely devoted to promoting the interests of religion, and the happiness of her subjects: that, as England was her husband, wedded to her by this pledge (and here she showed her finger, with the same gold ring upon it with which she had solemnly betrothed herself to the kingdom at her inauguration), so all Englishmen were her children; and, while she was employed in rearing or governing such a family, she could not deem herself barren, or her life useless and unprofitable: that, if she ever entertained thoughts of changing her condition, the care of her subjects' welfare would still be uppermost in her thoughts: but, should she live and die a virgin, she doubted not but divine Providence, seconded by their counsels and her own measures, would be able to prevent all dispute with regard to the succession, and secure them a sovereign, who, perhaps, better than her own issue, would imitate her example, in loving and cherishing her people: and that, for her part, she desired that no higher character or fairer remembrance of her should be transmitted to posterity, than to have this inscription engraved on her tombstone, when she should pay the last debt to nature: "Here lies Elizabeth, who lived and died a maiden queen."<sup>1</sup>

After the prorogation of parliament,<sup>2</sup> the laws enacted with 8th May. regard to religion were put in execution, and met with little opposition from any quarter. The liturgy was again introduced in the vulgar tongue, and the oath of supremacy was tendered to the clergy. The number of bishops had been reduced to fourteen by a sickly season which preceded; and all these, except the bishop of Landaff, having refused compliance, were degraded from their sees: but, of the inferior clergy throughout all England, where there are near ten thousand parishes, only eighty rectors and vicars, fifty prebendaries, fifteen heads of colleges, twelve archdeacons, and as many deans, sacrificed their livings to their religious principles.<sup>3</sup> Those in high ecclesiastical stations, being exposed to the eyes of the public, seem, chiefly, to have placed a point of honour in their perseverance; but, on the whole, the protestants, in the former change introduced by Mary, appear to have been much more rigid and conscientious. Though the catholic religion, adapting itself to the senses, and enjoining observances, which enter into the common train of life, does, at present, lay faster hold on the mind than the reformed, which, being chiefly spiritual, resembles more a system of metaphysics;

<sup>1</sup> Camden, p. 375. Sir Simon d'Ewes. <sup>2</sup> It is thought remarkable by Camden, that, though this session was the first of the reign, no person was attainted; but, on the contrary, some restored in blood by the parliament: a good symptom of the lenity, at least of the prudence, of the queen's government; and that it should appear remarkable, is a proof of the rigour of preceding reigns. <sup>3</sup> Camden, p. 370. Heylin, p. 115. Strype, vol. i. p. 73, with some small variations.



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yet was the proportion of zeal, as well as of knowledge, during the first ages after the reformation, much greater on the side of the protestants. The catholics continued ignorantly and supinely in their ancient belief, or rather their ancient practices; but the reformers, obliged to dispute on every occasion, and inflamed to a degree of enthusiasm by novelty and persecution, had strongly attached themselves to their tenets, and were ready to sacrifice their fortunes, and even their lives, in support of their speculative and abstract principles.

The forms and ceremonies still preserved in the English liturgy, as they bore some resemblance to the ancient service, tended farther to reconcile the catholics to the established religion; and, as the queen permitted no other mode of worship, and, at the same time, struck out every thing that could be offensive to them in the new liturgy,<sup>1</sup> even those who were addicted to the Romish communion made no scruple of attending the established church. Had Elizabeth gratified her own inclinations, the exterior appearance, which is the chief circumstance with the people, would have been still more similar between the new and the ancient form of worship. Her love of state and magnificence, which she affected in every thing, inspired her with an inclination towards the pomp of the catholic religion; and, it was merely in compliance with the prejudices of her party, that she gave up either images or the addresses to saints, or prayers for the dead.<sup>2</sup> Some foreign princes interposed to procure the Romanists the privilege of separate assemblies in particular cities; but the queen would not comply with their request; and she represented the manifest danger of disturbing the national peace, by a toleration of different religions.<sup>3</sup>

Peace  
with  
France.

While the queen and parliament were employed in settling the public religion, the negotiations for a peace were still conducted, first at Cercamp, then at Chateau-Cambresis, between the ministers of France, Spain, and England; and Elizabeth, though equally prudent, was not equally successful in this transaction. Philip employed his utmost efforts to procure the restitution of Calais, both as bound, in honour, to indemnify England, which, merely on his account, had been drawn into the war, and as engaged, in interest, to remove France to a distance from his frontiers in the Low Countries. So long as he entertained hopes of espousing the queen, he delayed concluding a peace with Henry; and even after the change of religion in England deprived him of all such views, his ministers hinted to her a proposal, which may be regarded as reasonable and honourable. Though all his own terms with France were settled, he seemed willing to continue the war till she should obtain satisfaction, provided she would stipulate to adhere to the Spanish alliance, and continue hostilities against Henry during the course of six years:<sup>4</sup> but

<sup>1</sup> Heylin, p. 111. <sup>2</sup> Burnet, vol. ii. p. 376, 397. Camden, p. 371. <sup>3</sup> Camden, p. 378. Strype, vol. i. p. 150, 370. <sup>4</sup> Forbes' Full View, vol. i. p. 59.



Elizabeth, after consulting with her ministers, wisely rejected this proposal. She was sensible of the low state of her finances; the great debts contracted by her father, brother and sister; the disorders introduced into every part of the administration; the divisions by which her people were agitated; and she was convinced that nothing but tranquillity, during some years, could bring the kingdom again into a flourishing condition, or enable her to act with dignity and vigour in her transactions with foreign nations. Well acquainted with the value which Henry put upon Calais, and the impossibility, during the present emergence, of recovering it by treaty, she was willing rather to suffer that loss, than submit to such a dependence on Spain, as she must expect to fall into, if she continued pertinaciously in her present demand. She ordered, therefore, her ambassadors, lord Effingham, the bishop of Ely, and Dr. Wotton, to conclude the negotiation, and to settle a peace with Henry on any reasonable terms. Henry offered to stipulate a marriage between the eldest daughter of the dauphin and the eldest son of Elizabeth: and to engage for the restitution of Calais as the dowry of that princess;<sup>1</sup> but, as the queen was sensible that this treaty would appear to the world a palpable evasion, she insisted upon more equitable, at least more plausible conditions. It was at last agreed, that Henry should restore Calais at the expiration of eight years; that in case of failure, he should pay five hundred thousand crowns, and the queen's title to Calais still remain; that he should find the security of seven or eight foreign merchants, not natives of France, for the payment of this sum; that he should deliver five hostages till that security were provided; that if Elizabeth broke the peace with France or Scotland during the interval, she should forfeit all title to Calais; but if Henry made war on Elizabeth, he should be obliged immediately to restore that fortress.<sup>2</sup> All men of penetration easily saw, that these stipulations were but a colourable pretence for abandoning Calais; but they excused the queen, on account of the necessity of her affairs; and they even extolled her prudence, in submitting, without farther struggle, to that necessity. A peace with Scotland was the necessary consequence of that with France.

Philip and Henry terminated hostilities by a mutual restitution of all places taken during the course of the war; and Philip espoused the princess Elizabeth, eldest daughter of France, formerly betrothed to his son, Don Carlos. The duke of Savoy married Margaret, Henry's sister, and obtained a restitution of all his dominions of Savoy and Piedmont, except a few towns retained by France. And thus general tranquillity seemed to be restored to Europe.

But, though peace was concluded between France and England, there soon appeared a ground of quarrel of the most serious

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<sup>1</sup> Forbes, vol. i. p. 54.    <sup>2</sup> Forbes, p. 68.    Rymer, tom. xv. p. 505.

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Disgust  
between  
the queen  
and Mary  
queen of  
Scots.

nature, and which was afterwards attended with the most important consequences. The two marriages of Henry VIII., that with Catharine of Arragon, and that with Anne Boleyn, were incompatible with each other; and it seemed impossible that both of them could be regarded as valid and legal: but still the birth of Elizabeth lay under some disadvantages, to which that of her sister Mary was not exposed. Henry's first marriage had obtained the sanction of all the powers, both civil and ecclesiastical, which were then acknowledged in England; and it was natural for protestants, as well as Romanists, to allow, on account of the sincere intention of the parties, that their issue ought to be regarded as legitimate. But his divorce and second marriage had been concluded in direct opposition to the see of Rome; and though they had been ratified by the authority both of the English parliament and convocation, those who were strongly attached to the catholic communion, and who reasoned with great strictness, were led to regard them as entirely invalid, and to deny, altogether, the queen's right of succession. The next heir of blood was the queen of Scots, now married to the dauphin; and the great power of that princess, joined to her plausible title, rendered her a formidable rival to Elizabeth. The king of France had secretly been soliciting at Rome a bull of excommunication against the queen; and she had here been beholden to the good offices of Philip, who, from interest, more than either friendship or generosity, had negotiated in her favour, and had successfully opposed the pretensions of Henry. But the court of France was not discouraged with this repulse: the duke of Guise and his brothers, thinking that it would much augment their credit, if their niece should bring an accession of England, as she had already done of Scotland, to the crown of France, engaged the king not to neglect the claim; and, by their persuasion, he ordered his son and daughter-in-law to assume openly the arms, as well as title of England, and to quarter these arms on all their equipages, furniture and liveries. When the English ambassador complained of this injury, he could obtain nothing but an evasive answer; that, as the queen of Scots was descended from the blood royal of England, she was entitled, by the example of many princes, to assume the arms of that kingdom. But, besides that this practice had never prevailed, without permission being first obtained, and without making a visible difference between the arms, Elizabeth plainly saw that this pretension had not been advanced during the reign of her sister Mary; and that, therefore, the king of France intended, on the first opportunity, to dispute her legitimacy, and her title to the crown. Alarmed at the danger, she thenceforth conceived a violent jealousy against the queen of Scots; and was determined, as far as possible, to incapacitate Henry from the execution of his project. The sudden death of that monarch, who was killed in a tournament at Paris, while celebrating the espousals of his sister with the duke of Sa-

voy, altered not her views. Being informed that his successor, Francis II. still continued to assume, without reserve, the title of king of England, she began to consider him and his queen as her mortal enemies; and the present situation of affairs in Scotland afforded her a favourable opportunity, both of revenging the injury, and providing for her own safety.

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The murder of the cardinal primate at St. Andrews had deprived the Scottish catholics of a head, whose severity, courage and capacity had rendered him extremely formidable to the innovators in religion; and the execution of the laws against heresy began thenceforth to be more remiss. The queen regent governed the kingdom by prudent and moderate counsels; and as she was not disposed to sacrifice the civil interest of the state to the bigotry or interests of the clergy, she deemed it more expedient to temporize, and to connive at the progress of a doctrine, which she had not power entirely to repress. When informed of the death of Edward, and the accession of Mary to the crown of England, she entertained hopes that the Scottish reformers, deprived of the countenance which they received from that powerful kingdom, would lose their ardour with their prospect of success, and would gradually return to the faith of their ancestors. But the progress and revolutions of religion are little governed by the usual maxims of civil policy; and the event much disappointed the expectations of the regent. Many of the English preachers, terrified with the severity of Mary's government, took shelter in Scotland, where they found more protection, and a milder administration; and, while they propagated their theological tenets, they filled the whole kingdom with a just horror against the cruelties of the bigoted catholics, and showed their disciples the fate which they must expect, if ever their adversaries should attain an uncontrolled authority over them.

A hierarchy, moderate in its acquisitions of power and riches, may safely grant a toleration to sectaries: and the more it softens the zeal of innovators by lenity and liberty, the more securely will it possess those advantages, which the legal establishments bestow upon it. But where superstition has raised a church to such an exorbitant height as that of Rome, persecution is less the result of bigotry in the priests than of a necessary policy: and the rigour of law is the only method of repelling the attacks of men, who, besides religious zeal, have so many other motives, derived both from public and private interest, to engage them on the side of innovation. But though such overgrown hierarchies may long support themselves by these violent expedients, the time comes when severities tend only to enrage the new sectaries, and make them break through all bounds of reason and moderation. This crisis was now visibly approaching in Scotland; and whoever considers merely the transactions resulting from it, will be inclined to throw the blame equally on both parties; whoever enlarges his view, and reflects on the situations, will remark

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Scotland.



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tion in  
Scotland.

the necessary progress of human affairs, and the operation of those principles which are inherent in human nature.

Some heads of the reformers in Scotland, such as the earl of Argyle, his son, lord Lorne, the earls of Morton and Glencairne, Erskine of Dun, and others, observing the danger to which they were exposed, and desirous to propagate their principles, entered privately into a bond or association; and called themselves the *Congregation* of the Lord, in contradistinction to the established church, which they denominated the Congregation of Satan. The tenor of the bond was as follows: "We, perceiving how Satan, in his members, the antichrist of our time, do cruelly rage, seeking to overthrow and destroy the gospel of Christ, and his congregation, ought, according to our bounden duty, to strive in our Master's cause, even unto the death, being certain of the victory in him. We do therefore promise, before the majesty of God, and his congregation, that we, by his grace, shall, with all diligence, continually apply our whole power, substance, and our very lives, to maintain, set forward, and establish, the most blessed word of God, and his congregation; and shall labour, by all possible means, to have faithful ministers, truly and purely to minister Christ's gospel and sacraments to his people: we shall maintain them, nourish them, and defend them, the whole congregation of Christ, and every member thereof, by our whole power, and at the hazard of our lives, against Satan, and all wicked power, who may intend tyranny and trouble against the said congregation: unto which holy word and congregation we do join ourselves; and we forsake and renounce the congregation of Satan, with all the superstitious abomination and idolatry thereof; and, moreover, shall declare ourselves manifestly enemies thereto, by this faithful promise before God, testified to this congregation by our subscriptions. At Edinburgh, the third of December, 1557."<sup>1</sup>

Had the subscribers of this zealous league been content only to demand a toleration of the new opinions, however incompatible their pretensions might have been with the policy of the church of Rome, they would have had the praise of opposing tyrannical laws, enacted to support an establishment prejudicial to civil society: but it is plain that they carried their views much farther: and their practice immediately discovered the spirit by which they were actuated. Supported by the authority which they thought belonged to them, as the Congregation of the Lord, they ordained that prayers in the vulgar tongue<sup>2</sup> should be used in all the parish churches of the kingdom; and that preaching, and the interpretation of the Scriptures, should be practised in private houses, till God should move the prince to grant public preaching by faithful and true ministers.<sup>3</sup> Such

<sup>1</sup> Keith, p. 66. Knox, p. 101. <sup>2</sup> The reformers used at that time king Edward's liturgy in Scotland. Forbes, p. 155. <sup>3</sup> Keith, p. 66. Knox, p. 101.



bonds of association, are always the forerunners of rebellion; and this violent invasion of the established religion was the actual commencement of it. CHAP. XXXVIII.

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Before this league was publicly known or avowed, the clergy, alarmed with the progress of the reformation, attempted to recover their lost authority, by a violent exercise of power, which tended, still farther, to augment the zeal and number of their enemies. Hamilton, the primate, seized Walter Mill, a priest of an irreproachable life, who had embraced the new doctrines; and having tried him, at St. Andrews, condemned him to the flames, for heresy. Such general aversion was entertained against this barbarity, that it was some time before the bishops could prevail on any one to act the part of a civil judge, and pronounce sentence upon Mill; and even after the time of his execution was fixed, all the shops of St. Andrews being shut, no one would sell a rope, to tie him to the stake; and the primate himself was obliged to furnish this implement. The man bore the torture with that courage, which, though usual on these occasions, always appears supernatural and astonishing to the multitude. The people, to express their abhorrence against the cruelty of the priests, raised a monument of stones on the place of his execution; and, as fast as the stones were removed, by order of the clergy, they were again supplied, from the voluntary zeal of the populace.<sup>1</sup> It is in vain for men to oppose the severest punishment to the united motives of religion and public applause; and this was the last barbarity of the kind, which the catholics had the power to exercise in Scotland.

Some time after, the people discovered their sentiments in such a manner, as was sufficient to prognosticate to the priests the fate which was awaiting them. It was usual, on the festival of St. Giles, the tutelar saint of Edinburgh, to carry in procession the image of that saint; but the protestants, in order to prevent the ceremony, found means, on the eve of the festival, to purloin the statue from the church; and they pleased themselves with imagining the surprise and disappointment of his votaries. The clergy, however, framed, hastily a new image, which, in derision, was called by the people, young St. Giles; and they carried it through the streets, attended by all the ecclesiastics in the town and neighbourhood. The multitude abstained from violence, so long as the queen regent continued a spectator, but the moment she retired, they invaded the idol, threw it in the mire, and broke it in pieces. The flight and terror of the priests and friars, who, it was remarked, deserted, in his greatest distress, the object of their worship, was the source of universal mockery and laughter.

Encouraged by all these appearances, the Congregation proceeded with alacrity, in openly soliciting subscriptions to their

<sup>1</sup> Knox, p. 122.

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league: and the death of Mary, of England, with the accession of Elizabeth, which happened about this time, contributed to increase their hopes of final success in their undertaking. They ventured to present a petition to the regent, craving a reformation of the church, and of the *wicked, scandalous, and detestable* lives of the prelates and ecclesiastics.<sup>1</sup> They framed a petition, which they intended to present to parliament, and in which, after premising that they could not communicate with the damnable idolatry and intolerable abuses of the papistical church, they desired, that the laws against heretics should be executed, by the civil magistrate alone, and that the Scripture should be the sole rule in judging of heresy.<sup>2</sup> They even petitioned the convocation, and insisted that prayers should be said in the vulgar tongue, and that bishops should be chosen with the consent of the gentry of the diocese, and priests with the consent of the parishoners.<sup>3</sup> The regent prudently temporized between these parties; and as she aimed at procuring a matrimonial crown for her son-in-law, the dauphin, she was, on that, as well as other accounts, unwilling to come to extremities with either of them.

But, after this concession was obtained, she received orders from France, probably dictated by the violent spirit of her brothers, to proceed with rigour against the reformers, and to restore the royal authority, by some signal act of power.<sup>4</sup> She made the more eminent of the protestant teachers be cited to appear before the council, at Stirling; but when their followers were marching thither in great multitudes, in order to protect and countenance them, she entertained apprehensions of an insurrection, and, it is said, dissipated the people, by a promise,\* that nothing should be done to the prejudice of the ministers. Sentence, however, was passed, by which all the ministers were pronounced rebels, on account of their not appearing: a measure which enraged the people and made them resolve to oppose the regent's authority by force of arms, and to proceed to extremities against the clergy of the established religion.

In this critical time, John Knox arrived from Geneva, where he had passed some years in banishment, and where he had imbibed, from his commerce with Calvin, the highest fanaticism of his sect, augmented by the native ferocity of his own character. He had been invited back to Scotland, by the leaders of the reformation; and, mounting the pulpit at Perth, during the present ferment of men's minds, he declaimed with his usual vehemence against the idolatry, and other abominations of the church of Rome, and incited his audience to exert their utmost zeal for its subversion. A priest was so imprudent, after this sermon, as to open his repository of images and re-

<sup>1</sup> Knox, p. 121. <sup>2</sup> Ibid. p. 123. <sup>3</sup> Keith, p. 78, 81, 82. <sup>4</sup> Melvil's Memoirs, p. 24. Jebb, vol. ii. p. 446. \* See note [12] at the end of the volume.

lics, and prepare himself to say mass. The audience, exalted to a disposition for any furious enterprise, were as much enraged as if the spectacle had not been quite familiar to them: they attacked the priest with fury, broke the images in pieces, tore the pictures, overthrew the altars, scattered about the sacred vases; and left no implement of idolatrous worship, as they termed it, entire or undefaced. They thence proceeded, with additional numbers and augmented rage, to the monasteries of the gray and black friars, which they pillaged in an instant; the Carthusians underwent the same fate: and the populace, not content with robbing and expelling the monks, vented their fury on the buildings which had been the receptacles of such abominations; and in a little time nothing but the walls of these edifices were left standing. The inhabitants of Couper, in Fife, soon after imitated the example.<sup>1</sup>

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The queen regent, provoked at these violences, assembled an army, and prepared to chastise the rebels. She had about two thousand French under her command, with a few Scottish troops; and being assisted by such of the nobility as were well affected to her, she pitched her tent within ten miles of Perth. Even the earl of Argyle, and lord James Stuart, prior of St. Andrews, the queen's natural brother, though deeply engaged with the reformers, attended the regent in this enterprise, either because they blamed the fury of the populace, or hoped, by their own influence and authority, to mediate some agreement between the parties. The Congregation, on the other hand, made preparations for defence; and being joined by the earl of Glencarne from the west, and being countenanced by many of the nobility and gentry, they appeared formidable from their numbers, as well as from the zeal by which they were animated. They sent an address to the regent, where they plainly insinuated, that if they were pursued to extremities by the *cruel beasts*, the churchmen, they would have recourse to foreign powers for assistance: and they subscribed themselves her faithful subjects in all things not repugnant to God, assuming, at the same time, the name of the faithful congregation of Christ Jesus.<sup>2</sup> They applied to the nobility attending her, and maintained that their own past violences were justified by the word of God, which commands the godly to destroy idolatry, and all the monuments of it; and though all civil authority was sacred, yet was there a great difference between the authority and the persons who exercised it;<sup>3</sup> and that it ought to be considered, whether or not those abominations, called by the pestilent papists religion, and which they defend by fire and sword, be the true religion of Christ Jesus. They remonstrated with such of the queen's army as had formerly embraced their party, and told them, "That, as they were already reputed traitors by God, they should likewise be excommunicated from

Civil wars  
in Scot-  
land.

<sup>1</sup> Spotswood, p. 121. Knox, p. 127. <sup>2</sup> Ibid. p. 129. <sup>3</sup> Ibid. p. 131.



CHAP. "their society, and from the participation of the sacraments  
 XXXVIII. "of the church, which God, by his mighty power, had erected  
 1559. "among them; whose ministers have the same authority which  
 "Christ granted to his apostles, in these words; *Whose sins ye  
 "shall forgive, shall be forgiven, and whose sins ye shall retain,  
 "shall be retained.*"<sup>1</sup> We may here see, that these new saints  
 were no less lofty in their pretensions than the ancient hierar-  
 chy: no wonder they were enraged against the latter, as their  
 rivals in dominion. They joined to all these declarations an ad-  
 dress to the established church; and they affixed this title to it:  
 "To the generation of antichrist, the pestilent prelates, and  
 "their shavelings,<sup>2</sup> in Scotland, the Congregation of Christ Je-  
 "sus, within the same, sayeth." The tenor of the manifesto  
 was suitable to the title. They told the ecclesiastics, "As ye,  
 "by tyranny, intend not only to destroy our bodies, but also,  
 "by the same, to hold our souls in bondage of the devil, subject  
 "to idolatry; so shall we, with all the force and power which  
 "God shall grant unto us, execute just vengeance and punishment  
 "upon you: yea, we shall begin that same war which God  
 "commanded Israel to execute against the Canaanites; that is,  
 "contract of peace shall never be made, till you desist from  
 "your open idolatry, and cruel persecution of God's children.  
 "And this, in the name of the eternal God, and of his son,  
 "Christ Jesus, whose verity we profess, and gospel we have  
 "preached, and holy sacraments rightly administered, we sig-  
 "nify unto you to be our intent, so far as God will assist us  
 "to withstand your idolatry. Take this for warning, and be  
 "not deceived."<sup>3</sup> With these outrageous symptoms, commenc-  
 ed in Scotland that cant, hypocrisy, and fanaticism, which long  
 infested that kingdom, and which, though now mollified by  
 the lenity of the civil power, is still ready to break out on all  
 occasions.

The queen regent, finding such obstinate zeal in the rebels,  
 was content to embrace the counsels of Argyle and the prior  
 of St. Andrews, and to form an accommodation with them. She  
 was received into Perth, which submitted, on her promising an  
 indemnity for past offences, and engaging not to leave any French  
 garrison in the place. Complaints, very ill founded, immediately  
 arose, concerning the infraction of this capitulation. Some of  
 the inhabitants, it was pretended, were molested on account  
 of the late violences; and some companies of Scotch soldiers,  
 supposed to be in French pay, were quartered in the town;  
 which step, though taken on very plausible grounds, was loudly  
 exclaimed against by the Congregation.<sup>4</sup> It is asserted, that  
 the regent, to justify these measures, declared that princes ought  
 not to have their promises too strictly urged upon them; nor  
 was any faith to be kept with heretics; and that for her part,

<sup>1</sup> Knox, p. 133. <sup>2</sup> A contemptuous term for a priest. <sup>3</sup> Keith, p. 85, 86,  
 87. Knox, p. 134. <sup>4</sup> Knox, p. 139.



could she find as good a colour, she would willingly bereave all these men of their lives and fortunes.<sup>1</sup> But it is nowise likely that such expressions ever dropped from this prudent and virtuous princess. On the contrary, it appears, that all these violences were disagreeable to her; that she was, in this particular, overruled by the authority of the French counsellors placed about her; and that she often thought, if the management of those affairs had been intrusted wholly to herself, she could easily, without force, have accommodated all differences.\*

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The Congregation, inflamed with their own zeal, and enraged by these disappointments, remained not long in tranquillity. Even before they left Perth, and while as yet they had no colour to complain of any violation of treaty, they had signed a new covenant, in which, besides their engagements to mutual defence, they vowed, in the name of God, to employ their whole power in destroying every thing that dishonoured his holy name; and this covenant was subscribed, among others, by Argyle and the prior of St. Andrews.<sup>2</sup> These two leaders now desired no better pretence for deserting the regent, and openly joining their associates, than the complaints, however doubtful, or rather false, of her breach of promise. The Congregation also, encouraged by this accession of force, gave themselves up entirely to the furious zeal of Knox, and renewed, at Crail, Anstruther, and other places in Fife, like depredations on the churches and monasteries, with those formerly committed at Perth and Couper. The regent, who marched against them with her army, finding their power so much increased, was glad to conclude a truce for a few days, and to pass over with her forces to the Lothians. The reformers besieged and took Perth; proceeded thence to Stirling, where they exercised their usual fury; finding nothing able to resist them, they bent their march to Edinburgh, the inhabitants of which, as they had already anticipated the zeal of the Congregation against the churches and monasteries, gladly opened their gates to them. The regent, with a few forces which remained with her, took shelter in Dunbar, where she fortified herself, in expectation of a reinforcement from France.

Meanwhile, she employed her partisans, in representing to the people the dangerous consequences of this open rebellion; and she endeavoured to convince them that the lord James, under pretence of religion, had formed the scheme of wresting the sceptre from the hands of the sovereign. By these considerations, many were engaged to desert the army of the Congregation; but much more by the want of pay, or any means of subsistence; and the regent, observing the malcontents to be much weakened, ventured to march to Edinburgh, with a design of suppressing them. On the interposition of the duke of Cha-

<sup>1</sup> Ibid. p. 139. Spotswood, p. 123. \* See note [K2] at the end of the volume. <sup>2</sup> Keith, p. 89. Knox, p. 138.

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telrault, in which she granted them a toleration of their religion, and they engaged to commit no farther depredation on the churches. Soon after, they evacuated the city; and, before they left it, they proclaimed the articles of agreement; but they took care to publish only the articles favourable to themselves, and they were guilty of an imposture, in adding one to the number, namely, that idolatry should not again be erected, in any place where it was, at that time, suppressed.\*

An agreement, concluded while men were in this disposition, could not be durable; and both sides endeavoured to strengthen themselves, as much as possible, against the ensuing rupture, which appeared inevitable. The regent, having got a reinforcement of one thousand men from France, began to fortify Leith; and the Congregation seduced to their party the duke of Chatelrault, who had long appeared inclined to join them, and who was at last determined, by the arrival of his son, the earl of Arran, from France, where he had escaped many dangers, from the jealousy as well as bigotry of Henry, and the duke of Guise. More French troops soon after disembarked, under the command of La Brosse, who was followed by the bishop of Amiens, and three doctors of the Sorbonne. These last were supplied with store of syllogisms, authorities, citations, and scholastic arguments, which they intended to oppose to the Scottish preachers, and which, they justly presumed, would acquire force, and produce conviction, by the influence of the French arms and artillery.<sup>1</sup>

The constable, Montmorency, had always opposed the marriage of the dauphin with the queen of Scots, and had foretold, that by forming such close connexions with Scotland, the ancient league would be dissolved; and the natives of that kingdom, jealous of a foreign yoke, would soon become, instead of allies, attached by interest and inclination, the most inveterate enemies to the French government. But though the event seemed now to have justified the prudence of that aged minister, it is not improbable, considering the violent councils by which France was governed, that the insurrection was deemed a favourable event; as affording a pretence for sending over armies, for entirely subduing the country, for attainting the rebels,<sup>2</sup> and for preparing means thence to invade England, and support Mary's title to the crown of that kingdom. The leaders of the Congregation, well acquainted with these views, were not insensible of their danger, and saw that their only safety consisted in the vigour and success of their measures. They were encouraged, by the intelligence received of the sudden death of Henry II. and, having passed an act, from their own authority, depriving the queen dowager of the regency, and ordering all the French troops to evacuate the kingdom, they collected forces to

\* See note [L2] at the end of the volume. <sup>1</sup> Spotswood, p. 134. Thuan. lib. xxiv. c. 10. <sup>2</sup> Forbes, vol. i. p. 139. Thuan. lib. xxiv. c. 13.

put their edict in execution against them. They again became masters of Edinburgh; but found themselves unable to keep long possession of that city. Their tumultuary armies, assembled in haste, and supported by no pay, soon separated, upon the least disaster, or even any delay of success; and were incapable of resisting such veteran troops as the French, who were also seconded by some of the Scottish nobility, among whom the earl of Bothwell distinguished himself. Hearing that the marquis of Elbeuf, brother to the regent, was levying an army against them, in Germany, they thought themselves excusable for applying, in this extremity, to the assistance of England; and, as the sympathy of religion, as well as regard for national liberty, had now counterbalanced the ancient animosity against that kingdom, this measure was the result of inclination, no less than of interest.\* Maitland, of Lidington, therefore, and Robert Melvil, were secretly despatched, by the Congregation, to solicit succours from Elizabeth.

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The wise council of Elizabeth did not long deliberate in agreeing to this request, which concurred so well with the views and interests of their mistress. Cecil, in particular, represented to the queen, that the union of the crowns of Scotland and France, both of them the hereditary enemies of England, was ever regarded as a pernicious event; and her father, as well as protector Somerset, had employed every expedient, both of war and negotiation, to prevent it: that the claim which Mary advanced to the crown, rendered the present situation of England still more dangerous; and demanded, on the part of the queen, the greatest vigilance and precaution: that the capacity, ambition, and exorbitant views of the family of Guise, who now governed the French counsels, were sufficiently known; and they themselves made no secret of their design, to place their niece on the throne of England: that, deeming themselves secure of success, they had already somewhat imprudently and prematurely, taken off the mask; and Throgmorton, the English ambassador at Paris, sent over by every courier incontestable proofs of their hostile intentions:<sup>1</sup> that they only waited till Scotland should be entirely subdued; and having thus deprived the English of the advantages resulting from their situation and naval power, they prepared means for subverting the queen's authority: that the zealous catholics, in England, discontented with the present government, and satisfied in the legality of of Mary's title, would bring them considerable reinforcement, and would disturb every measure of defence against that formidable power: that the only expedient for preventing these designs, was to seize the present opportunity, and take advantage of a like zeal, in the protestants of Scotland; nor could any doubt be entertained, with regard to the justice of a mea-

Interposi-  
tion of the  
queen, in  
Scotch af-  
fairs.

\* See note [M2] at the end of volume. <sup>1</sup> Forbes, vol. i. p. 134, 136, 149, 150, 159, 165, 181, 194, 229, 231, 235—241, 243.



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sure, founded on such evident necessity, and directed only to the ends of self-preservation: that though a French war, attended with great expense, seemed the necessary consequence of supporting the malcontents of Scotland, that power, if removed to the continent, would be much less formidable; and a small disbursement at present, would in the end be found the greatest frugality: and that the domestic dissensions of France, which every day augmented, together with the alliance of Philip, who, notwithstanding his bigotry and hypocrisy, would never permit the entire conquest of England, were sufficient to secure the queen against the dangerous ambition and resentment of the house of Guise.<sup>1</sup>

Elizabeth's propensity to caution and economy was, though with some difficulty,<sup>2</sup> overcome by these powerful motives; and she prepared herself to support by arms and money, the declining affairs of the Congregation in Scotland. She equipped a fleet, which consisted of thirteen ships of war; and giving the command of it to Winter, she sent it to the Frith of Forth: she appointed the young duke of Norfolk her lieutenant in the northern counties, and she assembled at Berwick an army of eight thousand men, under the command of lord Grey, warden of the east and middle marches. Though the court of France, sensible of the danger, offered her to make immediate restitution of Calais, provided she would not interpose in the affairs of Scotland, she resolutely replied, that she never would put an inconsiderable fishing town in competition with the safety of her dominions;<sup>3</sup> and she still continued her preparations. She concluded a treaty of mutual defence with the Congregation, which was to last during the marriage of the queen of Scots with Francis, and a year after; and she promised never to desist, till the French had entirely evacuated Scotland.<sup>4</sup> And, having thus taken all proper measures for success, and received from the Scots six hostages for the performance of articles, she ordered her fleet and army to begin their operations.

The appearance of Elizabeth's fleet in the Frith disconcerted the French army, who were at that time ravaging the county of Fife; and obliged them to make a circuit by Stirling, in order to reach Leith, where they prepared themselves for defence. The English army, reinforced by five thousand Scots,<sup>5</sup> sat down before the place; and after two skirmishes, in the former of which the English had the advantage, in the latter the French, they began to batter the town; and though repulsed with considerable loss, in a rash and ill-conducted assault, they reduced the garrison to great difficulties. Their distress was augmented by two events; the dispersion, by a storm, of d'Elbeuf's fleet, which carried a considerable army on board,<sup>6</sup> and

<sup>1</sup> Forbes, vol. i. p. 387. Jebb, vol. i. p. 448. Keith, Append. 24. <sup>2</sup> Forbes, vol. i. p. 454, 460. <sup>3</sup> Spotswood p. 146. <sup>4</sup> Knox, 217. Hayne's State papers, vol. i. p. 153. Rymer, tom. xv. p. 569. <sup>5</sup> Haynes, vol. i. p. 256, 259. <sup>6</sup> Haynes, vol. i. p. 233.



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5th July.

Settle-  
ment of  
Scotland.

the death of the queen regent, who expired about this time in the castle of Edinburgh; a woman, endowed with all the capacity which shone forth in her family, but possessed of much more virtue and moderation than appeared in the conduct of the other branches of it. The French, who found it impossible to subsist, for want of provisions, and who saw that the English were continually reinforced by fresh numbers, were obliged to capitulate; and the bishop of Valence and count Randan, plenipotentiaries from France, signed a treaty at Edinburgh, with Cecil and Dr. Watton, whom Elizabeth had sent thither for that purpose. It was there stipulated, that the French should instantly evacuate Scotland; that the king and queen of France and Scotland should thenceforth abstain from bearing the arms of England, or assuming the title of that kingdom; that farther satisfaction, for the injury already done in that particular, should be granted Elizabeth; and the commissioners should meet, to settle this point; or if they could not agree, that the king of Spain should be umpire between the crowns. Besides these stipulations which regarded England, some concessions were granted the Scots; namely, that an amnesty should be published for all past offences; that none but natives should enjoy any office in Scotland; that the states should name twenty-four persons, of whom the queen of Scots should choose seven, and the states five; and in the hands of these twelve should the whole administration be placed, during their queen's absence; and that Mary should neither make peace nor war, without consent of the states.<sup>1</sup> In order to hasten the execution of this important treaty, Elizabeth sent ships, by which the French forces were transported into their own country.

Thus Europe saw, in the first transaction of this reign, the genius and capacity of the queen and her ministers. She discerned at a distance the danger which threatened her; and instantly took vigorous measures to prevent it. Making all possible advantages of her situation, she proceeded with celerity to a decision; and was not diverted by any offers, negotiations, or remonstrances, of the French court. She stopped not, till she had brought the matter to a final issue; and had converted that very power, to which her enemies trusted for her destruction, into her firmest support and security. By exacting no improper conditions from the Scottish malcontents, even during their greatest distresses, she established an entire confidence with them; and having cemented the union by all the ties of gratitude, interest, and religion, she now possessed an influence over them, beyond what remained, even with their native sovereign. The regard which she acquired by this dexterous and spirited conduct, gave her every where, abroad as well as at home,

<sup>1</sup> Rymer, vol. xv. p. 593. Keith, p. 137. Spotswood, p. 147. Knox, p. 229.

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The subsequent measures of the Scottish reformers, tended still more to cement their union with England. Being now entirely masters of the kingdom, they made no farther ceremony or scruple in fully effecting their purpose. In the treaty of Edinburgh, it had been agreed, that a parliament or convention should soon be assembled; and the leaders of the Congregation, not waiting till the queen of Scots should ratify that treaty, thought themselves fully entitled, without the sovereign's authority, immediately to summon a parliament. The reformers presented a petition to this assembly, in which they were not contented with desiring the establishment of their doctrine; they also applied for the punishment of the catholics, whom they called vassals to the Roman harlot; and they asserted, that among all the rabble of the clergy (such is their expression) there was not one lawful minister; but that they were, all of them, thieves and murderers; yea, rebels and traitors to civil authority; and therefore unworthy to be suffered in any reformed commonwealth.<sup>2</sup> The parliament seem to have been actuated by the same spirit of rage and persecution. After ratifying a confession of faith, agreeable to the new doctrines, they passed a statute against the mass, and not only abolished it in all the churches, but enacted, that whoever, any where, either officiated in it, or was present at it, should be chastised, for the first offence, with confiscation of goods and corporal punishment, at the discretion of the magistrate; for the second, with banishment; and for the third, with loss of life.<sup>3</sup> A law was also voted, for abolishing the papal jurisdiction in Scotland: the presbyterian form of discipline was settled, leaving only, at first, some shadow of authority to certain ecclesiastics, whom they called Superintendants. The prelates of the ancient faith appeared, in order to complain of great injustice committed on them by the invasion of their property, but the parliament took no notice of them: till at last these ecclesiastics, tired with fruitless attendance, departed the town. They were then cited to appear; and as nobody presented himself, it was voted by the parliament, that the ecclesiastics were entirely satisfied, and found no reason of complaint.

Sir James Sandilands, prior of St. John, was sent over to France, to obtain the ratification of these acts; but was very ill received by Mary, who denied the validity of a parliament, summoned without the royal consent; and she refused her sanction to those statutes. But the protestants gave themselves little concern about their queen's refusal. They immediately put the statutes in execution: they abolished the mass; they settled their ministers; they committed, every where, furious devastations on

<sup>1</sup> Forbes, vol. i. p. 354, 372. Jebb, vol. ii. p. 452. <sup>2</sup> Knox, p. 237, 238.

<sup>3</sup> Ibid. p. 254.

the monasteries, and even on the churches, which they thought profaned by idolatry; and, deeming the property of the clergy lawful prize, they took possession, without ceremony, of the far greater part of the ecclesiastical revenues. Their new preachers, who had authority sufficient to incite them to war and insurrection, could not restrain their rapacity, and fanaticism concurring with avarice, an incurable wound was given to the papal authority in that country. The protestant nobility and gentry, united by the consciousness of such unpardonable guilt, alarmed for their new possessions, well acquainted with the imperious character of the house of Guise, saw no safety for themselves but in the protection of England; and they despatched Morton, Glencairne, and Lidington, to express their sincere gratitude to the queen for her past favours, and represent to her the necessity of continuing them.

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Elizabeth, on her part, had equal reason to maintain a union French with the Scottish protestants; and soon found that the house of Guise, notwithstanding their former disappointments, had not laid aside the design of contesting her title, and subverting her authority. Francis and Mary, whose counsels were wholly directed by them, refused to ratify the treaty of Edinburgh; and showed no disposition to give her any satisfaction, for that mortal affront which they had put upon her by their openly assuming the title and arms of England. She was sensible of the danger attending such pretensions; and it was with pleasure she heard of the violent factions which prevailed in the French government, and of the opposition which had arisen against the measures of the duke of Guise. That ambitious prince, supported by his four brothers, the cardinal of Lorraine, the duke of Aumale, the marquis of Elbeuf, and the grand prior, men no less ambitious than himself, had engrossed all the authority of the crown; and as he was possessed of every quality which could command the esteem or seduce the affections of men, there appeared no end of his acquisitions and pretensions. The constable, Montmorency, who had long balanced his credit, was deprived of all power: the princes of the blood, the king of Navarre, and his brother the prince of Condé, were entirely excluded from offices and favour: the queen mother herself, Catharine de Medicis, found her influence every day declining: and as Francis, a young prince, infirm both in mind and body, was wholly governed by his consort, who knew no law but the pleasure of her uncles, men despaired of ever obtaining freedom from the dominion of that aspiring family. It was the contests of religion which first inspired the French with courage openly to oppose their unlimited authority.

The theological disputes first started in the north of Germany, next in Switzerland, countries at that time wholly illiterate, had long ago penetrated into France; and as they were assisted by the general discontent against the court and church of Rome, and by the zealous spirit of the age, the proselytes to



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the new religion were secretly increasing in every province. Henry II. in imitation of his father, Francis, had opposed the progress of the reformers; and though a prince addicted to pleasure and society, he was transported by a vehemence, as well as bigotry, which had little place in the conduct of his predecessor. Rigorous punishments had been inflicted on the most eminent of the protestant party; and a point of honour seemed to have arisen, whether the one sect could exercise, or the other suffer most barbarity. The death of Henry put some stop to the persecutions; and the people, who had admired the constancy of the new preachers, now heard with favour their doctrines and arguments. But the cardinal of Lorraine, as well as his brothers, who were possessed of the legal authority, thought it their interest to support the established religion; and when they revived the execution of the penal statutes, they necessarily drove the malcontent princes and nobles to embrace the protection of the new religion. The king of Navarre, a man of mild dispositions, but of a weak character, and the prince of Condé, who possessed many great qualities, having declared themselves in favour of the protestants, that sect acquired new force from their countenance; and the admiral, Coligni, with his brother Andelot, no longer scrupled to make open profession of their communion. The integrity of the admiral, who was believed sincere in his attachment to the new doctrine, and his great reputation both for valour and conduct, for the arts of peace as well as of war, brought credit to the reformers; and after a frustrated attempt of the malcontents to seize the king's person at Amboise, of which Elizabeth had probably some intelligence,<sup>1</sup> every place was full of distraction, and matters hastened to an open rupture between the parties. But the house of Guise, though these factions had obliged them to remit their efforts in Scotland, and had been one chief cause of Elizabeth's success, were determined not to relinquish their authority in France, or yield to the violence of their enemies. They found an opportunity of seizing the king of Navarre and the prince of Condé; they threw the former into prison; they obtained a sentence of death against the latter; and they were proceeding to put the sentence into execution, when the king's sudden death saved the noble prisoner, and interrupted the prosperity of the duke of Guise. The queen mother was appointed regent to her son, Charles IX. now in his minority: the king of Navarre was named lieutenant general of the kingdom: the sentence against Condé was annulled: the constable was recalled to court; and the family of Guise, though they still enjoyed great offices and great power, found a counterpoise to their authority.

<sup>1</sup> Forbes, vol. i. p. 214. Throgmorton, about this time, unwilling to intrust to letters the great secrets committed to him, obtained leave, under some pretext, to come over to London.



Elizabeth was determined to make advantage of these events against the queen of Scots, whom she still regarded as a dangerous rival. She saw herself freed from the perils attending a union of Scotland with France, and from the pretensions of so powerful a prince as Francis; but she considered, at the same time, that the English catholics, who were numerous, and who were generally prejudiced in favour of Mary's title, would now adhere to that princess with more zealous attachment, when they saw that her succession no longer endangered the liberties of the kingdom, and was rather attended with the advantage of effecting an entire union with Scotland. She gave orders, therefore, to her ambassador Throgmorton, a vigilant and able minister, to renew his applications to the queen of Scots, and to require her ratification of the treaty of Edinburgh. But though Mary had desisted, after her husband's death, from bearing the arms and title of queen of England, she still declined gratifying Elizabeth in this momentous article; and, being swayed by the ambitious suggestions of her uncle, she refused to make any formal renunciation of her pretensions.

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Meanwhile, the queen mother of France, who imputed to Mary all the mortifications which she had met with during Francis's lifetime, took care to retaliate on her, by like injuries; and the queen of Scots, finding her abode in France disagreeable, began to think of returning to her native country. Lord James, who had been sent in deputation from the states, to invite her over, seconded these intentions; and she applied to Elizabeth, by d'Oisel, for a safeconduct, in case she should be obliged to pass through England:<sup>1</sup> but, she received for answer, that, till she had given satisfaction, by ratifying the treaty of Edinburgh, she could expect no favour from a person whom she had so much injured. This denial excited her indignation; and she made no scruple of expressing her sentiments to Throgmorton, when he reiterated his applications to gratify his mistress, in a demand which he represented as so reasonable. Having cleared the room of her attendants, she said to him, "How weak I may prove, or how far a woman's frailty may transport me, I cannot tell: however, I am resolved not to have so many witnesses of my infirmity, as your mistress had, at her audience of my ambassador d'Oisel. There is nothing disturbs me so much, as the having asked, with so much importunity, a favour, which it was of no consequence for me to obtain. I can, with God's leave, return to my own country, without *her* leave; as I came to France, in spite of all the opposition of her brother, king Edward: neither do I want friends, both able and willing to conduct me home, as they have brought me hither; though I was desirous, rather to make an experiment of your mistress's friendship, than of the assistance of any other person. I have often heard you say, that a good correspondence between her

<sup>1</sup> Goodall, vol. i. p. 175.

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"and myself, would conduce much to the security and happiness of both our kingdoms: were she well convinced of this truth, she would hardly have denied me so small a request. But, perhaps, she bears a better inclination to my rebellious subjects than to me, their sovereign, her equal in royal dignity, her near relation, and the undoubted heir of her kingdoms. Besides her friendship, I ask nothing at her hands: I neither trouble her, nor concern myself in the affairs of her state: not that I am ignorant, that there are now in England a great many malcontents, who are no friends to the present establishment. She is pleased to upbraid me as a person little experienced in the world: I freely own it; but age will cure that defect. However, I am already old enough to acquit myself honestly and courteously to my friends and relations, and to encourage no reports of your mistress, which would misbecome a queen and her kinswoman. I would also say, by her leave, that I am a queen as well as she, and not altogether friendless: and, perhaps, I have as great a soul too; so that methinks we should be upon a level in our treatment of each other. As soon as I have consulted the states of my kingdom, I shall be ready to give her a reasonable answer; and I am the more intent on my journey, in order to make the quicker despatch in this affair. But she, it seems, intends to stop my journey; so that, either she will not let me give her satisfaction, or is resolved not to be satisfied; perhaps, on purpose to keep up the disagreement between us. She has often reproached me with my being young; and I must be very young, indeed, and as ill advised, to treat of matters of such great concern and importance, without the advice of my parliament. I have not been wanting, in all friendly offices to her; but she disbelieves, or overlooks them. I could heartily wish, that I were as nearly allied to her in affection, as in blood: for that, indeed, would be a most valuable alliance."<sup>1</sup>

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Arrival of  
Mary in  
Scotland.

Such a spirited reply, notwithstanding the obliging terms interposed in it, was but ill fitted to conciliate friendship between these rival princesses, or cure those mutual jealousies, which had already taken place. Elizabeth equipped a fleet, on pretence of pursuing pirates, but, probably, with an intention of intercepting the queen of Scots, in her return homewards. Mary embarked at Calais; and, passing the English fleet in a fog, arrived safely at Leith, attended by her three uncles, the duke of Aumale, the grand prior, and the marquis of Elbeuf, together with the marquis of Damville, and other French courtiers. This change of abode and situation was very little agreeable to that princess. Besides her natural prepossessions, in favour of a country in which she had been educated from her earliest infancy, and where she had borne so high a rank, she could not forbear, both regretting the society of that people, so celebrated for their humane dispo-

<sup>1</sup> Caballa, p. 374. Spotswood, p. 177.

sition, and their respectful attachment to their sovereign, and reflecting on the disparity of the scene which lay before her. It is said, that after she was embarked at Calais, she kept her eyes fixed on the coast of France, and never turned them from that beloved object, till darkness fell, and intercepted it from her view. She then ordered a couch to be spread for her in the open air; and charged the pilot, that if in the morning the land were still in sight, he should awake her, and afford her one parting view of that country, in which all her affections were centred. The weather proved calm, so that the ship made little way in the night-time: and Mary had once more an opportunity of seeing the French coast. She sat upon her couch, and still looking towards the land, often repeated these words—"Farewell, France; farewell: I shall never see thee more."<sup>1</sup> The first aspect, however, of things in Scotland, was more favourable, if not to her pleasure and happiness, at least to her repose and security, than she had reason to apprehend. No sooner did the French galleys appear off Leith, than people of all ranks, who had long expected their arrival, flocked towards the shore with an earnest impatience to behold and receive their young sovereign. Some were led by duty, some by interest, some by curiosity; and all combined to express their attachment to her, and to insinuate themselves into her confidence, on the commencement of her administration. She had now reached her nineteenth year; and the bloom of her youth, and amiable beauty of her person, were farther recommended, by the affability of her address, the politeness of her manners, and the elegance of her genius. Well accomplished in the superficial, but engaging graces of a court, she afforded, when better known, still more promising indications of her character; and men prognosticated both humanity from her soft and obliging deportment, and penetration from her taste in all the refined arts of music, eloquence and poetry.<sup>2</sup> And as the Scots had long been deprived of the presence of their sovereign, whom they once despaired ever more to behold among them, her arrival seemed to give universal satisfaction; and nothing appeared about the court, but symptoms of affection, joy and festivity.

The first measures which Mary embraced, confirmed all the prepossessions entertained in her favour. She followed the advice given her in France, by d'Oisel and the bishop of Amiens, as well as her uncles; and she bestowed her confidence entirely on the leaders of the reformed party, who had greatest influence over the people, and who, she found, were alone able to support her government. Her brother, lord James, whom she soon after created earl of Murray, obtained the chief authority; and after him, Lidington, secretary of state, a man of great sagacity, had a principal share in her confidence. By the

<sup>1</sup> Keith, p. 179. Jebb, vol. ii. p. 483. <sup>2</sup> Buchanan, lib. xvii. c. 9. Spotswood, p. 178, 179. Keith, p. 180. Thuanus, lib. xxix. c. 2.



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vigour of these men's measures, she endeavoured to establish order and justice, in a country divided by public factions and private feuds; and that fierce, intractable people, unacquainted with laws and obedience, seemed, for a time, to submit peaceably to her gentle and prudent administration.

But there was one circumstance, which blasted all these promising appearances, and bereaved Mary of that general favour, which her agreeable manners, and judicious deportment, gave her just reasons to expect. She was still a papist; and though she published, soon after her arrival, a proclamation, enjoining every one to submit to the established religion, the preachers and their adherents could neither be reconciled to a person, polluted with so great an abomination, nor lay aside their jealousies of her future conduct. It was with great difficulty she could obtain permission for saying mass in her own chapel; and had not the people apprehended, that if she had here met with a refusal, she would instantly have returned to France, the zealots never would have granted her even that small indulgence. The cry was, "Shall we suffer that idol to be again erected within the realm?" It was asserted, in the pulpit, that one mass was more terrible than ten thousand armed men, landed to invade the kingdom:<sup>1</sup> lord Lindesey, and the gentlemen of Fife, exclaimed, "That the idolator should die the death:" such was their expression. One that carried tapers, for the ceremony of that worship, was attacked and insulted in the court of the palace; and if lord James and some popular leaders had not interposed, the most dangerous uproar was justly apprehended, from the ungoverned fury of the multitude.<sup>2</sup> The usual prayers, in the churches, were to this purpose: that God would turn the queen's heart, which was obstinate against him and his truth; or, if his holy will be otherwise, that he would strengthen the hearts and *hands* of the elect, stoutly to oppose the rage of all tyrants.<sup>3</sup> Nay, it was openly called in question, whether that princess, being an idolatress, was entitled to any authority, even in civil matters.<sup>4</sup>

The helpless queen was every moment exposed to contumely, which she bore with benignity and patience. Soon after her arrival, she dined in the castle of Edinburgh, and it was there contrived, that a boy, six years of age, should be let down from the roof, and should present her with a bible, a psalter, and the keys of the castle. Lest she should be at a loss to understand this insult on her, as a papist, all the decorations expressed the burning of Corah, Dathan, and Abiram, and other punishments inflicted by God upon idolatry.<sup>5</sup> The town council of Edinburgh had the assurance, from their own authority, to issue a proclamation, banishing from their district "all the wicked rabble of antichrist, the pope, such as priests, monks,

<sup>1</sup> Knox, p. 287. <sup>2</sup> Ibid. p. 284, 285, 287. Spotswood, p. 129. <sup>3</sup> Keith. p. 179. <sup>4</sup> Ibid. p. 202. <sup>5</sup> Ibid. p. 189.



“friars; together with adulterers and fornicators.”<sup>1</sup> And, because the privy council suspended the magistrates for their insolence, the passionate historians<sup>2</sup> of that age have inferred, that the queen was engaged, by a sympathy of manners, to take adulterers and fornicators under her protection. It appears probable, that the magistrates were afterwards reinstated in their office, and that their proclamation was confirmed.<sup>3</sup>

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But all the insolence of the people was inconsiderable, in comparison of that which was exercised by the clergy and the preachers, who took a pride in vilifying, even to her face, this amiable princess. The assembly of the church framed an address, in which, after telling her that her mass was a bastard service of God, the fountain of all impiety, and the source of every evil which abounded in the realm, they expressed their hopes, that she would, ere this time, have preferred truth to her own preconceived opinion, and have renounced her religion, which, they assured her, was nothing but abomination and vanity. They said, that the present abuses of government were so enormous, that, if speedy remedy were not provided, God would not fail, in his anger, to strike the head and the tail, the disobedient prince and sinful people. They required, that severe punishment should be inflicted on adulterers and fornicators. And they concluded with demanding for themselves some addition, both of power and property.<sup>4</sup>

The ringleader, in all these insults on majesty, was John Knox; who possessed an uncontrolled authority in the church, and even in the civil affairs of the nation, and who triumphed in the contumelious usage of his sovereign. His usual appellation for the queen was Jezebel: and though she endeavoured, by the most gracious condescension, to win his favour, all her insinuations could gain nothing on his obdurate heart. She promised him access to her, whenever he demanded it; and she even desired him, if he found her blamable in any thing, to reprehend her freely, in private, rather than vilify her in the pulpit, before the whole people: but he plainly told her, that he had a public ministry intrusted to him; that if she would come to church, she should there hear the gospel of truth; and that it was not his business to apply to every individual, nor had he leisure for that occupation.<sup>5</sup> The political principles of the man, which he communicated to his brethren, were as full of sedition, as his theological were of rage and bigotry. Though he once condescended so far as to tell the queen, that he would submit to her in the same manner as Paul did to Nero,<sup>6</sup> he remained not long in this dutiful strain. He said to her, that “Saul feared not to slay Agag, the fat and delicate king of Amalek, whom king Saul had saved: neither spared Elias Jeze-

<sup>1</sup> Keith, p. 192. <sup>2</sup> Knox, p. 292. Buchan, lib. xvii. c. 20. Haynes, vol. i. p. 372. <sup>3</sup> Keith, p. 202. <sup>4</sup> Knox, p. 311, 312. <sup>5</sup> Ibid. p. 310. <sup>6</sup> Ibid. p. 288.

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 XXXVIII. "present. Phineas," added he, "was no magistrate; yet feared  
 1561. "he not to strike Cosbi and Zimri, in the very act of filthy for-  
 "nication. And so, madam, your grace may see, that others  
 "than chief magistrates, may lawfully inflict punishment on  
 "such crimes as are condemned by the law of God."<sup>1</sup> Knox  
 had formerly, during the reign of Mary, of England, written  
 a book against female succession to the crown: the title of it  
 is, *The first blast of the trumpet against the monstrous regimen of  
 women*. He was too proud, either to recant the tenets of this  
 book, or even to apologize for them: and his conduct showed,  
 that he thought no more civility than loyalty due to any of the  
 female sex.

The whole life of Mary was, from the demeanor of these men, filled with bitterness and sorrow. This rustic apostle scruples not in his history to inform us, that he once treated her with such severity, that she lost all command of temper, and dissolved in tears before him: yet, so far from being moved with youth, and beauty, and royal dignity, reduced to that condition, he persevered in his insolent reproofs; and, when he relates this incident, he discovers a visible pride and satisfaction in his own conduct.<sup>2</sup> The pulpits had become mere scenes of railing against the vices of the court; among which were always noted, as the principal, feasting, finery, dancing, balls, and whoredom, their necessary attendant.<sup>3</sup> Some ornaments, which the ladies at that time wore upon their petticoats, excited mightily the indignation of the preachers; and they affirmed, that such vanity would provoke God's vengeance, not only against these foolish women, but against the whole realm.<sup>4</sup>

Mary, whose age, condition and education, invited her to liberty and cheerfulness, was curbed, in all amusements, by the absurd severity of these reformers; and she found, every moment, reason to regret her leaving that country, from whose manners she had, in her early youth, received the first impressions.<sup>5</sup> Her two uncles, the duke of Aumale, and the grand prior, with the other French nobility, soon took leave of her: the marquis of Elbeuf remained some time longer; but, after his departure, she was left to the society of her own subjects; men, unacquainted with the pleasures of conversation, ignorant of arts and civility, and corrupted beyond their usual rusticity, by a dismal fanaticism, which rendered them incapable of all humanity or improvement. Though Mary had made no attempt to restore the ancient religion, her popery was a sufficient crime: though her behaviour was, hitherto, irreproachable, and her manners sweet and engaging, her gaiety and ease were interpreted as signs of dissolute vanity. And, to the harsh and preposterous usage which this princess met with, may, in part, be ascribed

<sup>1</sup> Knox, p. 326.    <sup>2</sup> Ibid. p. 332, 333.    <sup>3</sup> Ibid. p. 322.    <sup>4</sup> Ibid. p. 330.  
<sup>5</sup> Ibid. p. 294.

those errors of her subsequent conduct, which seemed so little of a piece with the general tenor of her character.

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There happened to the marquis of Elbeuf, before his departure, an adventure which, though frivolous, might enable him to give Mary's friends in France a melancholy idea of her situation. This nobleman, with the earl of Bothwel, and some other young courtiers, had been engaged, after a debauch, to pay a visit to a woman, called Allison Craig, who was known to be liberal of her favours; and, because they were denied admittance, they broke the windows, thrust open the door, and committed some disorders, in searching for the damsel. It happened, that the assembly of the church was sitting at that time, and they immediately took the matter under their cognizance. In conjunction with several of the nobility, they presented an address to the queen, which was introduced with this awful prelude; "to the queen's majesty, and to her secret and great council, her grace's faithful and obedient subjects, the professors of "Christ Jesus' holy evangil, wish the spirit of righteous judgment." The tenor of the petition was, that the fear of God, the duty which they owed her grace, and the terrible threatenings denounced by God, against every city or country where horrible crimes were openly committed, compelled them to demand the severe punishment of such as had done what in them lay to kindle the wrath of God against the whole realm: that the iniquity of which they complained was so heinous and so horrible, that they should esteem themselves accomplices in it, if they had been engaged, by worldly fear, or servile complaisance, to pass it over in silence, or bury it in oblivion: that, as they owed her grace obedience in the administration of justice, so were they entitled to require of her, in return, the sharp and condign punishment of this enormity, which, they repeated it, might draw down the vengeance of God on the whole kingdom: and, that they maintained it to be her duty to lay aside all private affections towards the actors in so heinous a crime, and so enormous a villany, and, without delay, bring them to a trial, and inflict the severest penalties upon them. The queen gave a gracious reception to this peremptory address; but, because she probably thought, that breaking the windows of a brothel merited not such severe reprehension, she only replied, that her uncle was a stranger, and that he was attended by a young company: but, she would put such order to him, and to all others, that her subjects should, henceforth, have no reason to complain. Her passing over this incident so slightly, was the source of great discontent, and was regarded as a proof of the most profligate manners.<sup>1</sup> It is not to be omitted, that Allison Craig, the cause of all the uproar, was known to entertain a commerce with the earl of Arran, who, on account of his great zeal for the reformation, was, without scruple, indulged in that enormity.<sup>2</sup>

<sup>1</sup> Knox, p. 302, 303, 304. Keith, p. 509. <sup>2</sup> Knox, *ibid*.



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Some of the populace of Edinburgh broke into the queen's chapel, during her absence, and committed outrages; for which two of them were indicted, and it was intended to bring them to trial. Knox wrote circular letters to the most considerable zealots of the party, and charged them to appear in town, and protect their brethren. The holy sacraments, he there said, are abused, by profane papists: the mass has been said; and, in worshipping that idol, the priests have omitted no ceremony, not even the conjuring of their accursed water, that had ever been practised in the time of the greatest blindness. These violent measures for opposing justice were little short of rebellion; and Knox was summoned before the council, to answer for his offence. The courage of the man, was equal to his insolence.—He scrupled not to tell the queen, that the pestilent papists, who had inflamed her against these holy men, were the sons of the devil; and must, therefore, obey the directions of their father, who had been a liar, and a manslayer, from the beginning. The matter ended with a full acquittal of Knox,<sup>1</sup> Randolph, the English ambassador in Scotland, had reason to write to Cecil, speaking of the Scottish nation: "I think marvellously of the wisdom of God, that gave this unruly, inconstant, and cumbersome people, no more power nor substance: for they would otherwise run wild."<sup>2</sup>

We have related these incidents at greater length than the necessity of our subject may seem to require; but even trivial circumstances, which show the manners of the age, are often more instructive, as well as entertaining, than the great transactions of wars and negotiations, which are nearly similar, in all periods, and in all countries of the world.

The reformed clergy in Scotland had, at that time, a very natural reason for their ill humour; namely, the poverty, or rather beggary, to which they were reduced. The nobility and gentry had at first laid their hands on all the property of the regular clergy, without making any provision for the friars and nuns, whom they turned out of their possessions. The secular clergy, of the catholic communion, though they lost all ecclesiastical jurisdiction, still held some of the temporalities of their benefices; and either became laymen themselves, and converted them into private property, or made conveyance of them, at low prices, to the nobility, who thus enriched themselves by the plunder of the church. The new teachers had hitherto subsisted, chiefly, by the voluntary oblations of the faithful; and, in a poor country, divided in religious sentiments, this establishment was regarded as very scanty, and very precarious. Repeated applications were made for a legal settlement to the preachers; and, though almost every thing in the kingdom was governed by their zeal and caprice, it was with difficulty that their request was at last complied with. The fanatical spirit which

<sup>1</sup> Knox, p. 336, 342.    <sup>2</sup> Keith, p. 202.



they indulged, and their industry in decrying the principles and practices of the Roman communion, which placed such merit in enriching the clergy, proved now a very sensible obstacle to their acquisitions. The convention, however, passed a vote,<sup>1</sup> by which they divided all the ecclesiastical benefices into twenty-one shares: they assigned fourteen to the ancient possessors: of the remaining seven, they granted three to the crown; and, if that were found to answer the public expenses, they bestowed the overplus on the reformed ministers. The queen was empowered to levy all the seven; and it was ordained, that she should afterwards pay to the clergy what should be judged to suffice for their maintenance. The necessities of the crown, the rapacity of the courtiers, and the small affection which Mary bore to the protestant ecclesiastics, rendered their revenues contemptible, as well as uncertain; and the preachers, finding that they could not rival the gentry, or even the middling rank of men, in opulence and plenty, were necessitated to betake themselves to other expedients for supporting their authority. They affected a furious zeal for religion, morose manners, a vulgar and familiar, yet mysterious cant; and though the liberality of subsequent princes put them afterwards on a better footing, with regard to revenue, and thereby corrected, in some degree, those bad habits, it must be confessed, that, while many other advantages attend presbyterian government, these inconveniences are not easily separated from the genius of that ecclesiastical polity.

The queen of Scots, destitute of all force, possessing a narrow revenue, surrounded with a factious, turbulent nobility, a bigoted people, and insolent ecclesiastics, soon found, that her only expedient for maintaining tranquillity, was to preserve a good correspondence with Elizabeth,<sup>2</sup> who, by former connexions and services, had acquired such authority over all these ranks of men. Soon after her arrival in Scotland, secretary Lidington was sent to London, in order to pay her compliments to the queen, and express her desire of friendship, and a good correspondence; and he received a commission from her, as well as from the nobility of Scotland, to demand, as a means of cementing this friendship, that Mary should, by act of parliament, or by proclamation, (for the difference between these securities was not then deemed very considerable,) be declared successor to the crown. No request could be more unreasonable, or made at a more improper juncture. The queen replied, that Mary had once discovered her intention, not to wait for the succession, but had openly, without ceremony or reserve, assumed the title of queen of England, and had pretended a superior right to her throne and kingdom; that, though her ambassadors, and those of her husband, the French king, had signed a treaty, in which they renounced that claim, and promised satisfaction for so great an indignity, she was so

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<sup>1</sup> Knox, p. 296. Keith, p. 210. <sup>2</sup> Jebb, vol. ii. p. 456.

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intoxicated with this imaginary right, that she had rejected the most earnest solicitations, and even, as some endeavoured to persuade her, had incurred some danger, in crossing the seas, rather than ratify that equitable treaty; that her partisans, every where, had still the assurance to insist on her title, and had presumed to talk of her own birth, as illegitimate: that, while affairs were on this footing; while a claim, thus openly made, so far from being openly renounced, was only suspended, till a more favourable opportunity, it would, in her, be the most egregious imprudence, to fortify the hands of a pretender to her crown, by declaring her the successor; that no expedient could be worse imagined, for cementing friendship, than such a declaration; and kings were often found to bear no good will to their successors, even though their own children; much more, when the connexion was less intimate, and when such cause of disgust and jealousy had already been given, and, indeed, was still continued on the part of Mary: that though she was willing, from the amity which she bore her kinswoman, to ascribe her former pretensions to the advice of others, by whose direction she was then governed, her present refusal to relinquish them could proceed only from her own prepossessions, and was a proof, that she still harboured some dangerous designs against her; that it was the nature of all men to be disgusted with the present, to entertain flattering views of futurity, to think their services ill rewarded, to expect a better recompense from the successor; and, she should esteem herself scarcely half a sovereign over the English, if they saw her declare her heir, and arm her rival with authority, against her own repose and safety: that she knew the inconstant nature of the people; she was acquainted with the present divisions in religion; she was not ignorant, that the same party which expected greater favour during the reign of Mary, did also imagine, that the title of that princess was superior to her own: that, for her part, whatever claims were advanced, she was determined to live and die queen of England; and, after her death, it was the business of others to determine who had the best pretensions, either by the laws, or by the right of blood, to the succession: that she hoped the claim of the queen of Scots would then be found solid; and considering the injury which she herself had received, it was sufficient indulgence, if she promised, in the mean time, to do nothing which might, in any respect, weaken or invalidate it: and that Mary, if her title were really preferable, a point which, for her own part, she had never inquired into, possessed all advantages above her rivals; who, destitute both of present power, and of all support by friends, would only expose themselves to inevitable ruin by advancing any weak, or even doubtful pretensions.<sup>1</sup>

These views of the queen were so prudent and judicious, that there was no likelihood of her ever departing from them:

<sup>1</sup> Buchanan, lib. xvii. c. 14—17. Camden, p. 385. Spotswood, p. 180, 181.

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but, that she might put the matter to a fuller proof, she offered to explain the words of the treaty of Edinburgh, so as to leave no suspicion of their excluding Mary's right of succession;<sup>1</sup> and, in this form, she again required her to ratify that treaty. Matters at last came to this issue; that Mary agreed to the proposal, and offered to renounce all present pretensions to the crown of England, provided Elizabeth would agree to declare her the successor.<sup>2</sup> But such was the jealous character of this latter princess, that she never would consent to strengthen the interest and authority of any claimant, by fixing the succession; much less would she make this concession in favour of a rival queen, who possessed such plausible pretensions for the present, and who, though she might verbally renounce them, could easily resume her claim, on the first opportunity. Mary's proposal, however, bore so specious an appearance of equity and justice, that Elizabeth, sensible that reason would, by superficial thinkers, be deemed to lie entirely on that side, made no more mention of the matter; and, though farther concessions were never made, by either princess, they put on all the appearances of a cordial reconciliation and friendship with each other.

The queen observed, that, even without her interposition, Mary was sufficiently depressed, by the mutinous spirit of her own subjects; and, instead of giving Scotland, for the present, any inquietude or disturbance, she employed herself, more usefully and laudably, in regulating the affairs of her own kingdom, and promoting the happiness of her people. She made some progress in paying those great debts which lay upon the crown; she regulated the coin, which had been much debased by her predecessors: she furnished her arsenals with great quantities of arms, from Germany, and other places; engaged her nobility and gentry to imitate her example in this particular; introduced into the kingdom the art of making gunpowder and brass cannon; fortified her frontiers on the side of Scotland; made frequent reviews of the militia; encouraged agriculture, by allowing a free exportation of corn; promoted trade and navigation; and, so much increased the shipping of her kingdom, both by building vessels of force herself, and suggesting like undertakings to the merchants, that she was justly styled, the restorer of naval glory, and the queen of the northern seas.<sup>3</sup> The natural frugality of her temper, so far from incapacitating her from these great enterprises, only enabled her to execute them with greater certainty and success; and all the world saw, in her conduct, the happy effects of a vigorous perseverance in judicious and well concerted projects.

It is easy to imagine, that so great a princess, who enjoyed such singular felicity and renown, would receive proposals of marriage from every one that had any likelihood of succeeding;

<sup>1</sup> Spotswood, p. 181    <sup>2</sup> Haynes, vol. i. p. 377.    <sup>3</sup> Camden, p. 388.    Strype, vol. i. p. 230, 336, 337.



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and, though she had made some public declarations in favour of a single life, few believed that she would persevere for ever in that resolution. The archduke Charles, second son of the emperor,<sup>1</sup> as well as Casimir, son of the elector Palatine, made applications to her; and, as this latter prince professed the reformed religion, he thought himself, on that account, better entitled to succeed in his addresses. Eric, king of Sweden, and Adolph, duke of Holstein, were encouraged, by the same views, to become suitors: and the earl of Arran, heir to the crown of Scotland, was, by the states of that kingdom, recommended to her as a suitable marriage. Even some of her own subjects, though they did not openly declare their pretensions, entertained hopes of success. The earl of Arundel, a person declining in years, but descended from an ancient and noble family, as well as possessed of great riches, flattered himself with this prospect; as did also Sir William Pickering, a man much esteemed for his personal merit. But the person most likely to succeed, was a young son of the late duke of Northumberland, lord Robert Dudley, who, by means of his exterior qualities, joined to address and flattery, had become, in a manner, her declared favourite, and had great influence in all her councils. The less worthy he appeared of this distinction, the more was his great favour ascribed to some violent affection, which could thus seduce the judgment of this penetrating princess; and men long expected, that he would obtain the preference, above so many princes and monarchs. But the queen gave all these suitors a gentle refusal, which still encouraged their pursuit; and she thought, that she should the better attach them to her interests, if they were still allowed to entertain hopes of succeeding in their pretensions. It is also probable, that this policy was not entirely free from a mixture of female coquetry: and that, though she was determined, in her own mind, never to share her power with any man, she was not displeased with the courtship, solicitation, and professions of love, which the desire of acquiring so valuable a prize procured her, from all quarters.

What is most singular, in the conduct and character of Elizabeth, is, that though she determined never to have any heir of her own body, she was not only very averse to fix any successor to the crown; but seems, also, to have resolved, as far as it lay in her power, that no one, who had pretensions to the succession, should ever have any heirs or successors. If the exclusion, given by the will of Henry VIII. to the posterity of Margaret, queen of Scotland, was allowed to be valid, the right to the crown devolved on the house of Suffolk; and the lady Catharine Gray, younger sister to the lady Jane, was now the heir of that family. This lady had been married to lord Herbert, son of the earl of Pembroke; but having been divorced from that nobleman, she made a private marriage with the earl

<sup>1</sup>Haynes, vol. i. p. 233.



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of Hertford, son of the protector; and her husband, soon after consummation, travelled into France. In a little time she appeared to be pregnant, which so enraged Elizabeth, that she threw her into the Tower, and summoned Hertford to appear, in order to answer for his misdemeanor. He made no scruple of acknowledging the marriage, which, though concluded without the queen's consent, was entirely suitable to both parties; and, for this offence, he was also committed to the Tower. Elizabeth's severity stopped not here: she issued a commission, to inquire into the matter; and, as Hertford could not, within the time limited, prove the nuptials by witnesses, the commerce between him and his consort was declared unlawful, and their posterity illegitimate. They were still detained in custody; but, by bribing their keepers, they found means to have farther intercourse; and another child appeared to be the fruit of their commerce. This was a fresh source of vexation to the queen; who made a fine, of fifteen thousand pounds, to be set on Hertford, by the star-chamber, and ordered his confinement to be, thenceforth, more rigid and severe. He lay in this condition, for nine years, till the death of his wife, by freeing Elizabeth from all fears, procured him his liberty.<sup>1</sup> This extreme severity must be accounted for, either by the unrelenting jealousy of the queen, who was afraid lest a pretender to the succession, should acquire credit, by having issue; or by her malignity, which, with all her great qualities, made one ingredient in her character, and which led her to envy, in others, those natural pleasures of love and posterity, of which her own ambition and desire of dominion, made her renounce all prospect for herself.

There happened, about this time, some other events, in the royal family, where the queen's conduct was more laudable. Arthur Pole, and his brother, nephews to the late cardinal, and descended from the duke of Clarence, together with Anthony Fortescue, who had married a sister of these gentlemen, and some other persons, were brought to their trial, for intending to withdraw into France, with a view of soliciting succours from the duke of Guise, of returning thence into Wales, and of proclaiming Mary queen of England, and Arthur Pole duke of Clarence. They confessed the indictment, but asserted, that they never meant to execute these projects during the queen's lifetime: they had only deemed such precautions requisite, in case of her demise, which some pretenders to judicial astrology had assured them they might, with certainty, look for, before the year expired. They were condemned, by the jury; but received a pardon, from the queen's clemency.<sup>2</sup>

<sup>1</sup> Haynes, vol. i. p. 369, 378, 396. Camden, p. 389. Heylin, p. 154. <sup>2</sup> Strype, vol. i. p. 333. Heylin, p. 154.



# NOTES

TO

## THE SECOND VOLUME.

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### NOTE [A] p. 3.

IN the fifth year of the king, the commons complained of the government about the king's person, his court, the excessive number of his servants, of the abuses in the chancery, king's bench, common pleas, exchequer, and of the grievous oppressions in the country, by the great multitudes of maintainers of quarrels, (men linked in confederacies together) who behaved themselves like kings in the country, so as there was very little law or right, and of the other things which, they said, were the cause of the late commotions under Wat Tyler. *Parl. Hist.* vol. i. p. 365. This irregular government, which no king, and no house of commons, had been able to remedy, was the source of the licentiousness of the great, and turbulency of the people, as well as tyranny of the princes. If subjects would enjoy liberty, and kings security, the laws must be executed.

In the ninth of this reign, the commons also discovered an accuracy and a jealousy of liberty, which we should little expect in those rude times. "It was agreed by "parliament," says Cotton, p. 309, "that the subsidy of wools, wool fells, and "skins, granted to the king, until the time of midsummer, then ensuing, should "cease, from the same time, unto the feast of St. Peter *ad vincula*; for that thereby "the king should be interrupted for claiming such grant as due." See also Cotton, p. 198.

### NOTE [B] p. 10.

KNYGHTON, p. 2715, &c. The same author, p. 2680, tells us, that the king, in return to the message, said, that he would not, for their desire, remove the meanest scullion from his kitchen. This author also tells us, that the king said to the commissioners, when they harangued him, that he saw his subjects were rebellious, and his best way would be to call in the king of France to his aid. But it is plain, that all these speeches were either intended by Knyghton merely as an ornament to his history, or are false. For, 1. When the five lords accuse the king's ministers, in the new parliament, and impute to them every rash action of the king, they speak nothing of these replies, which are so obnoxious, were so recent, and are pretended to have been so public. 2. The king, so far from having any connexions at that time with France, was threatened with a dangerous invasion from that kingdom. This story seems to have been taken from the reproaches afterwards thrown out against him, and to have been transferred by the historians to this time, to which they cannot be applied.

### NOTE [C] p. 14.

WE must except the 12th article, which accuses Brembre of having cut off the heads of twenty-two prisoners, confined for felony or debt, without warrant or pro-

cess of law. But, as it is not conceivable what interest Brembre could have to treat these felons and debtors in such a manner, we may presume that the fact is either false or misrepresented. It was in these men's power to say any thing against the persons accused: no defence or apology was admitted: all was lawless will and pleasure.

They are also accused of designs to murder the lords: but these accusations either are general, or destroy one another. Sometimes, as in article 15th, they intend to murder them by means of the mayor and city of London: sometimes, as in article 28th, by trial and false inquests: sometimes, as in article 28th, by means of the king of France, who was to receive Calais for his pains.

NOTE [D] p. 15.

IN general, the parliament in those days never paid proper regard to Edward's statute of treasons, though one of the most advantageous laws for the subject that has ever been enacted. In the 17th of the king, the dukes of Lancaster and Gloucester complain to Richard, that Sir Thomas Talbot, with others of his adherents, conspired the death of the said dukes in divers parts of Cheshire, as the same was confessed and well known; and praying that the parliament may judge of the fault. Whereupon, the king and the lords in the parliament judged the same fact to be open and high treason: and, hereupon, they award two writs, the one to the sheriff of York, and the other to the sheriffs of Derby, to take the body of the said Sir Thomas, returnable in the king's bench in the month of Easter, then ensuing. And open proclamation was made in Westminster hall, that, upon the sheriff's return, and at the next coming in of the said Sir Thomas, the said Sir Thomas should be convicted of treason, and incur the loss and pain of the same: and all such as should receive him, after the proclamation, should incur the same loss and pain. Cotton, p. 354. It is to be observed, that this extraordinary judgment was passed in a time of tranquillity. Though the statute itself of Edward III. reserves a power to the parliament to declare any new species of treason, it is not to be supposed that this power was reserved to the house of lords alone, or that men were to be judged by a law *ex post facto*. At least, if such be the meaning of the clause, it may be affirmed, that men were at that time very ignorant of the first principles of law and justice.

NOTE [E] p. 19.

IN the preceding parliament, the commons had shown a disposition very compliant to the king; yet there happened an incident in their proceedings which is curious, and shows us the state of the house during that period. The members were either country gentlemen, or merchants, who were assembled for a few days, and were entirely unacquainted with business; so that it was easy to lead them astray, and draw them into votes and resolutions very different from their intention. Some petitions concerning the state of the nation were voted, in which, among other things, the house recommended frugality to the king; and, for that purpose, desired that the court should not be so much frequented as formerly by *bishops and ladies*. The king was displeased with this freedom: the commons very humbly craved pardon: he was not satisfied unless they would name the mover of the petitions. It happened to be one Haxey, whom the parliament, in order to make atonement, condemned, for this offence, to die the death of a traitor. But the king, at the desire of the archbishop of Canterbury, and the prelates, pardoned him. When a parliament, in those times, not agitated by any faction, and being at entire freedom, could be guilty of such monstrous extravagance, it is easy to judge what might be expected from them in more trying situations. See Cotton's Abridg. p. 361, 362.

NOTE [F] p. 28.

To show how little credit is to be given to this charge against Richard, we may observe that a law, in the 13 Edw. III. had been enacted against the continuance of sheriffs for more than one year: but the inconvenience of changes having afterwards appeared from experience, the commons, in the twentieth of this king, applied by



petition that the sheriffs might be continued; though that petition had not been enacted into a statute, by reason of other disagreeable circumstances which attended it. See Cotton, p. 361. It was certainly a very moderate exercise of the dispensing power in the king, to continue the sheriffs, after he found that that practice would be acceptable to his subjects, and had been applied for by one house of parliament: yet is this made an article of charge against him by the present parliament. See art. 18. Walsingham, speaking of a period, early in Richard's minority, says, *but what do acts of parliament signify, when, after they are made, they take no effect; since the king, by the advice of the privy council, takes upon him to alter, or wholly set aside, all those things which, by general consent, had been ordained in parliament?* If Richard, therefore, exercised the dispensing power, he was warranted by the examples of his uncles and grandfather, and indeed of all his predecessors from the time of Henry III. inclusive.

## NOTE [G] p. 33.

THE following passage in Cotton's Abridgement, p. 196, shows a strange prejudice against the church and churchmen: *The commons afterwards coming into the parliament, and making their protestation, showed that, for want of good redress about the king's person, in his household, in all his courts, touching maintainers in every county, and purveyors, the commons were daily pilled, and nothing defended against the enemy; and, that it should shortly deprive the king, and undo the state. Wherefore, in the same government, they entirely require redress. Whereupon the king appointed sundry bishops, lords, and nobles, to sit in privy council about these matters: who, since that they must begin at the head, and go at the request of the commons, they, in the presence of the king, charged his confessor not to come into the court, but upon the four principal festivals. We should little expect that a popish privy council, in order to preserve the king's morals, should order his confessor to be kept at a distance from him. This incident happened in the minority of Richard. As the popes had for a long time resided at Avignon, and the majority of the sacred college were Frenchmen, this circumstance naturally increased the aversion of the nation to the papal power: but the prejudice against the English clergy cannot be accounted for from that cause.*

## NOTE [H] p. 141.

THAT we may judge how arbitrary a court that of the constable of England was, we may peruse the patent granted to the earl of Rivers in this reign, as it is to be found in Spelman's Glossary, in verb. *Constabularius*; as also more fully in Rymer, vol. xi. p. 581. Here is a clause of it: *Et ulterius de uberiori gratia nostra eidem comiti de Rivers plenam potestatem damus ad cognoscendum et procedendum, in omnibus et singulis causis et negotiis, de et super crimine lese majestatis seu super occasione ceterisque causis, quibuscunque per præfatum comitem de Rivers, ut constabularium Angliæ: quæ in curia constabularii Angliæ ab antiquo, viz. tempore dicti domini Gulielmi conquestoris, seu aliquo tempore citra tractari, audiri, examinari, aut decidi consueverant, aut jure debuerant, aut debent, causasque et negotia predicta cum omnibus et singulis emergentibus, incidentibus et connectis, audiendum, examinandum, et fine debito terminandum, etiam summarie et de plano, sine strepitu et figura justitiæ, sola facti veritate inspecta, ac etiam manu regia, si opportunum visum fuerit eidem comiti de Rivers, vices nostras, appellatione remota.* The office of constable was perpetual in the monarchy; its jurisdiction was not limited to times of war, as appears from this patent, and, as we learn, from Spelman: yet its authority was in direct contradiction to *Magna Charta*, and it is evident, that no regular liberty could subsist with it. It involved a full dictatorial power, continually subsisting in the state. The only check on the crown, besides the want of force to support all its prerogatives, was, that the office of constable was commonly either hereditary or during life; and the person invested with it was, for that reason, not so proper an instrument of arbitrary power in the king. Accordingly the office was suppressed by Henry VIII. the most arbitrary of all the English princes. The practice, however, of exercising martial

law, still subsisted; and was not abolished, till the Petition of Right, under Charles I. This was the epoch of true liberty, confirmed by the restoration, and enlarged and secured by the revolution.

NOTE [I] p. 148.

WE shall give an instance: almost all the historians, even Comines, and the continuator of the annals of Croyland, assert that Edward was, about this time, taken prisoner by Clarence and Warwick, and was committed to the custody of the archbishop of York, brother to the earl; but, being allowed to take the diversion of hunting by this prelate, he made his escape, and afterwards chased the rebels out of the kingdom. But, that all the story is false, appears from Rymer, where we find that the king, throughout all this period, continually exercised his authority, and never was interrupted in his government. On the 7th of March, 1470, he gives a commission of array to Clarence, whom he then imagined a good subject; and, on the 23d of the same month, we find him issuing an order for apprehending him. Besides, in the king's manifesto against the duke and earl, (Claus. 10, Edw. IV. m. 7, 8) where he enumerates all their treasons, he mentions no such fact: he does not so much as accuse them of exciting young Welles' rebellion: he only says, that they exhorted him to continue in his rebellion. We may judge how smaller facts will be misrepresented by historians, who can, in the most material transactions, mistake so grossly. There may even some doubt arise, with regard to the proposal of marriage made to Bona, of Savoy; though almost all the historians concur in it, and the fact be very likely in itself: for there are no traces in Rymer of any such embassy of Warwick's to France. The chief certainty in this and the preceding reign, arises either from public records, or from the notice taken of certain passages by the French historians. On the contrary, for some centuries after the conquest, the French history is not complete without the assistance of English authors. We may conjecture, that the reason of the scarcity of historians during this period was the destruction of the convents, which ensued so soon after: copies of the more recent historians not being yet sufficiently dispersed, these historians have perished.

NOTE [K] p. 174.

SIR THOMAS MORE, who has been followed, or rather transcribed, by all the historians of this short reign, says that Jane Shore had fallen into connexions with lord Hastings; and this account agrees best with the course of the events: but, in a proclamation of Richard's, to be found in Rymer, vol. xii. p. 204, the marquis of Dorset is reproached with these connexions. This reproach, however, might have been invented by Richard, or founded only on popular rumour; and is not sufficient to overbalance the authority of Sir Thomas More. The proclamation is remarkable for the hypocritical purity of manners affected by Richard: this bloody and treacherous tyrant upbraids the marquis and others with their gallantries and intrigues, as the most terrible enormities.

NOTE [L] p. 188.

EVERY one that has perused the ancient monkish writers knows, that however barbarous their own style, they are full of allusions to the Latin classics, especially the poets. There seems also, in those middle ages, to have remained many ancient books that are now lost. Malmesbury, who flourished in the reign of Henry I. and king Stephen, quotes Livy's description of Caesar's passage over the Rubicon. Fitz-Stephen, who lived in the reign of Henry II. alludes to a passage in the larger history of Sallust. In the collection of letters, which passes under the name of Thomas à Becket, we see how familiar all the ancient history and ancient books were to the more ingenious and more dignified churchmen of that time; and, consequently, how much that order of men must have surpassed all the other members of society. That prelate and his friends call each other philosophers, in all the course of their correspondence, and consider the rest of the world as sunk in total ignorance and barbarism.

## NOTE [M] p. 243.

Stowe, Baker, Speed, Biondi, Holingshed, Bacon. Some late writers, particularly Mr. Carte, have doubted whether Perkin were an impostor, and have even asserted him to be the true Plantagenet. But to refute this opinion, we need only reflect on the following particulars: 1. Though the circumstances of the wars between the two roses be, in general, involved in great obscurity, yet is there a most luminous ray thrown on all the transactions during the usurpation of Richard and the murder of the two young princes, by the narrative of Sir Thomas More, whose singular magnanimity, probity, and judgment, make him an evidence beyond all exception! No historian, either of ancient or modern times, can possibly have more weight: he may also be justly esteemed a contemporary, with regard to the murder of the two princes: for, though he was but five years of age when that event happened, he lived and was educated among the chief actors, during the period of Richard: and it is plain from his narrative itself, which is often extremely circumstantial, that he had the particulars from the eye-witnesses themselves: his authority, therefore, is irresistible; and sufficient to overbalance a hundred little doubts, and scruples, and objections. For, in reality, his narrative is liable to no solid objection, nor is there any mistake detected in it. He says, indeed, that the protector's partisans, particularly Dr. Shaw, spread abroad rumours of Edward IV's precontract with Elizabeth Lucy; whereas it now appears from record, that the parliament afterwards declared the king's children illegitimate, on pretence of his precontract with lady Eleanor Talbot. But it must be remarked, that neither of these precontracts was ever so much as attempted to be proved: and why might not the protector's flatterers and partisans have made use sometimes of one false rumour, sometimes of another? Sir Thomas More mentions the one rumour, as well as the other, and treats them both lightly, as they deserved. It is also thought incredible by Mr. Carte, that Dr. Shaw should have been encouraged by Richard to calumniate openly his mother, the dutchess of York, with whom that prince lived in good terms. But if there be any difficulty in this supposition, we need only suppose that Dr. Shaw might have concerted, in general, his sermon with the protector or his ministers, and yet have chosen himself the particular topics, and chosen them very foolishly. This appears, indeed, to have been the case, by the disgrace into which he fell afterwards, and by the protector's neglect of him. 2. If Sir Thomas's quality of contemporary be disputed, with regard to the duke of Gloucester's protectorate, it cannot possibly be disputed with regard to Perkin's imposture: he was then a man, and had a full opportunity of knowing, and examining, and judging of the truth. In asserting that the duke of York was murdered by his uncle, he certainly asserts, in the most express terms, that Perkin, who personated him, was an impostor. 3. There is another great genius, who has carefully treated this point of history; so great a genius, as to be esteemed, with justice, one of the chief ornaments of the nation; and, indeed, one of the most sublime writers that any age or nation has produced. It is lord Bacon, I mean, who has related at full length, and without the least doubt or hesitation, all the impostures of Perkin Warbec. If it be objected that lord Bacon was no contemporary, and that we have the same materials as he, upon which to form our judgment; it must be remarked, that lord Bacon plainly composed his elaborate and exact history from many records and papers, which are now lost; and that, consequently, he is always to be cited as an original historian. It were very strange, if Mr. Carte's opinion were just, that among all the papers which lord Bacon perused, he never found any reason to suspect Perkin to be the true Plantagenet. There was, at that time, no interest in defaming Richard III. Bacon, besides, is a very unbiassed historian, nowise partial to Henry: we know the detail of that prince's oppressive government from him alone. It may only be thought, that, in summing up his character, he has laid the colours of blame more faintly, than the very facts he mentions seem to require. Let me remark, in passing, as a singularity, how much English history has been beholden to four great men, who have possessed the highest dignity in the law—More, Bacon, Clarendon, and Whitlocke. 4. But, if contemporary evidence be so much sought after, there may, in this case, be produced the strongest and most undeniable in the world. The



queen dowager, her son, the marquis of Dorset, a man of excellent understanding, Sir Edward Woodville, her brother, Sir Thomas St. Leger, who had married the king's sister, Sir John Bouchier, Sir Robert Willoughby, Sir Giles Daubeney, Sir Thomas Arundel, the Courtneys, the Cheneys, the Talbots, the Stanleys, and, in a word, all the partisans of the house of York, that is, the men of chief dignity in the nation; all these great persons were so assured of the murder of the two princes, that they applied to the earl of Richmond, the mortal enemy of their party and family; they projected to set him on the throne, which must have been utter ruin to them, if the princes were alive; and they stipulated to marry him to the princess Elizabeth, as heir to the crown, who, in that case, was no heir at all. Had each of those persons written the memoirs of his own times, would he not have said that Richard murdered his nephews? Or would their pen be a better declaration than their actions of their real sentiments? 5. But, we have another contemporary authority, still better than even these great persons, so much interested to know the truth: it is that of Richard himself: he projected to marry his niece, a very unusual alliance in England, in order to unite her title with his own. He knew, therefore, her title to be good: for, as to the declaration of her illegitimacy, as it went upon no proof, or even pretence of proof, it was always regarded with the utmost contempt by the nation, and was considered as one of those parliamentary transactions, so frequent in that period, which were scandalous in themselves, and had no manner of authority. It was even so much despised, as not to be reversed by parliament after Henry and Elizabeth were on the throne. 6. We have also, as contemporary evidence, the universal established opinion of the age, both abroad and at home. This point was regarded as so uncontroverted, that when Richard notified his accession to the court of France, that court was struck with horror at his abominable parricide, in murdering both his nephews, as Philip de Comines tells us; and this sentiment went to such an unusual height, that, as we learn from the same author, the court would not make the least reply to him. 7. The same reasons which convinced that age of the parricide, still subsist, and ought to carry the most undoubted evidence to us; namely, the very circumstance of the sudden disappearance of the princes from the Tower, and their appearance no where else. Every one said, *they have not escaped from their uncle, for he makes no search after them: he has not conveyed them elsewhere: for it is his business to declare so, in order to remove the imputation of murder from himself. He never would needlessly subject himself to the infamy and danger of being esteemed a parricide, without acquiring the security attending that crime. They were in his custody: he is answerable for them. if he gives no account of them, as he has a plain interest in their death, he must, by every rule of common sense, be regarded as the murderer. His flagrant usurpation, as well as his other treacherous and cruel actions, makes no better be expected from him. He could not say, with Cain, that he was not his nephews' keeper.* This reasoning, which was irrefragable at the very first, became every day stronger from Richard's continued silence, and the general and total ignorance of the place of these princes' abode. Richard's reign lasted about two years beyond this period; and surely he could not have found a better expedient for disappointing the earl of Richmond's projects, as well as justifying his own character, than the producing of his nephews. 8. If it were necessary, amidst this blaze of evidence, to produce proofs, which, in any other case, would have been regarded as considerable, and would have carried great validity with them, I might mention Dighton and Tyrrel's account of the murder. This last gentleman especially was not likely to subject himself to the reproach of so great a crime, by an imposture, which, it appears, did not acquire him the favour of Henry. 9. The duke of York, being a boy of nine years of age, could not have made his escape without the assistance of some elder persons. Would it not have been their chief concern, instantly to convey intelligence of so great an event to his mother, the queen dowager, to his aunt, the dutchess of Burgundy, and to the other friends of the family? The dutchess protected Simnel; a project, which, had it been successful, must have ended in the crowning of Warwick, and the exclusion of the duke of York! This, among many other proofs, evinces that she was ignorant of the escape of that prince, which is impossible, had it been real. 10. The total silence, with regard to the persons who aided him in his escape, as also with regard to the place of his abode during more than eight years, is a sufficient proof of the impos-



ture. 11. Perkin's own account of his escape is incredible and absurd. He said that the murderers were employed by his uncle, to kill him and his brother: they perpetrated the crime against his brother; but took compassion on him, and allowed him to escape. This account is contained in all the historians of that age. 12. Perkin himself made a full confession of his imposture, no less than three times; once, when he surrendered himself prisoner; a second time, when he was set in the stocks at Cheapside and Westminster; and a third time, which carries undoubted evidence, at the foot of the gibbet on which he was hanged. Not the least surmise, that the confession had ever been procured by torture: and, surely, the last time he had nothing farther to fear. 13. Had not Henry been assured that Perkin was a ridiculous impostor, disavowed by the whole nation, he never would have allowed him to live an hour after he came into his power; much less would he have twice pardoned him. His treatment of the innocent earl of Warwick, who, in reality, had no title to the crown, is a sufficient confirmation of this reasoning. 14. We know, with certainty, whence the whole imposture came, namely, from the intrigues of the dutchess of Burgundy: she had before acknowledged, and supported Lambert Simnel, an avowed impostor. It is remarkable, that Mr. Carte, in order to preserve the weight of the dutchess's testimony in favour of Perkin, suppresses entirely this material fact: a strong effect of party prejudices, and this author's desire of blackening Henry VII. whose hereditary title to the crown was defective. 15. There never was, at that time, any evidence, or shadow of evidence produced, of Perkin's identity with Richard Plantagenet. Richard had disappeared, when near nine years of age, and Perkin did not appear till he was a man. Could any one, from his aspect, pretend then to be sure of the identity? He had got some stories concerning Richard's childhood, and the court of England: but, all that it was necessary for a boy of nine to remark or remember, was easily suggested to him by the dutchess of Burgundy, or Frion, Henry's secretary, or by any body that had ever lived at court. It is true, many persons of note were at first deceived; but the discontents against Henry's government, and the general enthusiasm for the house of York, account sufficiently for this temporary delusion. Every body's eyes were opened, long before Perkin's death. 16. The circumstance of finding the two dead bodies, in the reign of Charles II. is not surely indifferent. They were found in the very place which More, Bacon, and other ancient authors, had assigned as the place of interment of the young princes: the bones corresponded, by their size, to the age of the princes: the secret and irregular place of their interment, not being in holy ground, proves that the boys had been secretly murdered: and, in the Tower, no boys, but those who are very nearly related to the crown, can be exposed to a violent death: if we compare all these circumstances, we shall find that the inference is just and strong, that they were the bodies of Edward the Fifth and his brother; the very inference that was drawn at the time of the discovery.

*Since the publication of this History, Mr. Walpole has published his Historic Doubts concerning Richard III. Nothing can be a stronger proof, how ingenious and agreeable that gentleman's pen is, than his being able to make an inquiry concerning a remote point of English history, an object of general conversation. The foregoing note has been enlarged on account of that performance.*

## NOTE [N] p. 252.

Rot. Parl. 3 H. VII. n. 17. The preamble is remarkable, and shows the state of the nation at that time. "The king, our sovereign lord, remembereth how, by our unlawful maintenances, giving of liveries, signs, and tokens, retainders by indentures, promises, oaths, writings, and other embraceries of his subjects, untrue demeanings of sheriffs, in making pannels and untrue returns, by taking money, by juries, &c. the policy of this nation is most subdued." It must, indeed, be confessed, that such a state of the country required great discretionary power in the sovereign; nor will the same maxims of government suit such a rude people, that may be proper in a more advanced stage of society. The establishment of the star-chamber, or the advancement of its power, in the reign of Henry VII. might have been as wise as the abolition of it in that of Charles I.

## NOTE [O] p. 254.

THE duke of Northumberland has lately printed a household book of an old earl of that family, who lived at this time: the author has been favoured with the perusal of it; and it contains many curious particulars, which mark the manners and way of living in that rude, not to say barbarous age; as well as the prices of commodities. I have extracted a few of them from that piece, which gives a true picture of ancient manners, and is one of the most singular monuments that English antiquity affords us: for, we may be confident, however rude the strokes, that no baron's family was on a nobler or more splendid footing. The family consists of 166 persons, masters and servants: fifty-seven strangers are reckoned upon every day: on the whole, 223. Two pence halfpenny are supposed to be the daily expense of each, for meat, drink, and firing. This would make a groat of our present money: supposing provisions between three and four times cheaper, it would be equivalent to fourteen pence: no great sum for a nobleman's housekeeping; especially considering, that the chief expense of a family, at that time, consisted in meat and drink: for the sum allotted by the earl for his whole annual expense, is £1118 17s. 8d.; meat, drink, and firing, cost £796 11s. 2d. more than two thirds of the whole: in a modern family it is not above a third, p. 157, 158, 159. The whole expense of the earl's family is managed with an exactness that is very rigid; and, if we make no allowance for ancient manners, such as may seem to border on an extreme; inasmuch, that the number of pieces which must be cut out of every quarter of beef, mutton, pork, veal, nay, stock fish and salmon, are determined, and must be entered and accounted for, by the different clerks appointed for that purpose: if a servant be absent a day, his mess is struck off: if he go on my lord's business, board wages are allowed him, eight pence a day for his journey in winter—five pence in summer: when he stays in any place, two pence a day are allowed him, besides the maintenance of his horse. Somewhat above a quarter of wheat is allowed for every month throughout the year; and the wheat is estimated at five shillings and eight pence a quarter. Two hundred and fifty quarters of malt are allowed, at four shillings a quarter: two hogsheads are to be made of a quarter; which amounts to about a bottle and a third of beer a day to each person, p. 4, and the beer will not be very strong. One hundred and nine fat beeves are to be bought, at Allhallowtide, at thirteen shillings and four pence a piece: and twenty-four lean beeves to be bought, at St. Helens, at eight shillings a piece: these are to be put into the pastures to feed; and are to serve from midsummer to Michaelmas; which is consequently the only time that the family eats fresh beef: during all the rest of the year, they live on salted meat, p. 5. One hundred and sixty gallons of mustard are allowed in a year; which seem, indeed, requisite for the salt beef, p. 18. Six hundred and forty-seven sheep are allowed, at twenty pence a piece; and these seem also to be all eat salted, except between Lammas and Michaelmas, p. 5. Only twenty-five hogs are allowed, at two shillings a piece; twenty-eight veals, at twenty pence; forty lambs, at ten pence, or a shilling, p. 7. These seem to be reserved for my lord's table, or that of the upper servants, called the knights' table. The other servants, as they eat salted meat almost through the whole year, and with few or no vegetables, had a very bad and unhealthy diet: so that there cannot be any thing more erroneous, than the magnificent ideas formed of the *roast beef of old England*. We must entertain as mean an idea of its cleanliness: only seventy ells of linen; at eight pence an ell, are annually allowed for this great family: no sheets were used: this linen was made into eight table-cloths for my lord's table; and one table-cloth for the knights, p. 16. This last, I suppose, was washed only once a month. Only forty shillings are allowed for washing, throughout the whole year; and most of it seems expended on the linen belonging to the chapel. The drinking, however, was tolerable, namely, ten tuns and two hogsheads of Gascony wine, at the rate of four pounds thirteen shillings and four pence a tun, p. 6. Only ninety one dozen of candles for the whole year, p. 14. The family rose at six in the morning, dined at ten, and supped at four in the afternoon: the gates were all shut at nine, and no farther ingress or egress permitted, p. 314, 318. My lord and lady have set on their table for breakfast, at seven o'clock in the morning, a quart of beer; as much wine;

two pieces of salt fish, six red herrings, four white ones, or a dish of sprats. In flesh days, half a chine of mutton, or a chine of beef, boiled, p. 73, 75. Mass is ordered to be said at six o'clock, in order, says the household book, that all my lord's servants may rise early, p. 170. Only twenty-four fires are allowed, beside the kitchen and hall, and most of these have only a peck of coals a day allowed them, p. 99. After Ladyday, no fires permitted in the rooms, except half-fires in my lord's and lady's, and lord Piercy's, and the nursery, p. 101. It is to be observed, that my lord kept house in Yorkshire, where there is certainly much cold weather after Ladyday. Eighty chalders of coals, at four shillings and two pence a chaldar, suffices throughout the whole year; and because coal will not burn without wood, says the household book, sixty-four loads of great wood are also allowed, at twelve pence a load, p. 22. This is a proof that grates were not then used. Here is an article. *It is devised that, from henceforth, no capons to be bought, but only for my lord's own mess, and that the said capons shall be bought for two pence a piece, lean, and fed in the poultry; and master chamberlain and the stewards be fed with capons, if there be strangers sitting with them,* p. 102. Pigs are to be bought at three pence, or a groat a piece: geese at the same price: chickens at a halfpenny: hens two pence, and only for the above mentioned tables. Here is another article. *Item, it is thought good, that no plovers be bought, at no season, but only in Christmas and principal feasts, and my lord to be served therewith, and his board-end, and none other, and to be bought for a penny a piece, or a penny halfpenny at most,* p. 103. Woodcocks are to be bought at the same price. Partridges at two pence, p. 104, 105. Pheasants a shilling; peacocks the same, p. 106. My lord keeps only twenty-seven horses in his stable at his own charge: his upper servants have allowance for maintaining their own horses, p. 126. These horses are, six gentle horses, as they are called, at hay and hard meat, throughout the whole year; four palfreys, three hobbies and nags, three sumpter horses, six horses for those servants to whom my lord furnishes a horse, two sumpter horses more, and three mill horses, two for carrying the corn, and one for grinding it; whence we may infer that mills, either water or wind-mills, were then unknown; at least very rare: besides these, there are seven great trotting horses for the chariot or waggon. He allows a peck of oats a day, besides loaves made of beans, for his principal horses: the oats at twenty pence, the beans at two shillings a quarter. The load of hay is at two shillings and eight pence. When my lord is on a journey, he carries thirty-six horsemen along with him; together with bed and other accommodation, p. 157. The inns, it seems, could afford nothing tolerable. My lord passes the year in three country seats, all in Yorkshire, Wrysel, Leckenfield, and Topclyffe; but he has furniture only for one. He carries every thing along with him, beds, tables, chairs, kitchen utensils, all which, we may conclude, were so coarse, that they could not be spoiled by the carriage. Yet seventeen carts and one waggon suffice for the whole, p. 391. One cart suffices for all his kitchen utensils, cooks' beds, &c. p. 388. One remarkable circumstance is, that he has eleven priests in his house, besides seventeen persons, chanters, musicians, &c. belonging to his chapel: yet he has only two cooks for a family of 223 persons, p. 325.\* Their meats were certainly dressed in the slovenly manner of a ship's company. It is amusing to observe the pompous, and even royal style, assumed by this Tartar chief; he does not give any orders, though only for the right making of mustard, but it is introduced with this preamble, *It seemeth good to us and our council.* If we consider the magnificent and elegant manner in which the Venetian and other Italian noblemen then lived, with the progress made by the Italians in literature and the fine arts, we shall not wonder that they considered the ultramontaine nations as barbarous. The Flemish also seem to have much excelled the English and even the French. Yet the earl is sometimes not deficient in generosity: he pays, for instance, an annual pension of a groat a year to my lady of Walsingham, for her interest in heaven; the same sum to the holy blood at Hales, p. 337. No mention is any where made of plate; but only of the hiring of pewter vessels. The servants seem all to have bought their own clothes from their wages.

\* In another place mention is made of four cooks, p. 388. But I suppose that the two servants called, in p. 325, groom of the larder, and child of the scullery, are, in p. 388, comprehended in the number of cooks.



## NOTE [P] p. 303.

PROTESTANT writers have imagined, that because a man could purchase, for a shilling, an indulgence for the most enormous and unheard of crimes, there must necessarily have ensued a total dissolution of morality, and consequently of civil society, from the practices of the Romish church. They do not consider, that after all these indulgences were promulgated, there still remained, (besides hellfire) the punishment of the civil magistrate, the infamy of the world, and secret remorse of conscience, which are the great motives that operate on mankind. The philosophy of *Cicero*, who allowed of an *Elysium*, but rejected all *Tartarus*, was a much more universal indulgence than that preached by *Arcemboldi* or *Tetzel*: yet nobody will suspect *Cicero* of any design to promote immorality. The sale of indulgences seems, therefore, no more criminal, than any other cheat of the church of Rome, or of any other church. The reformers, by entirely abolishing purgatory, did really, instead of partial indulgences sold by the pope, give, gratis, a general indulgence of a similar nature, for all crimes and offences, without exception or distinction. The souls, once consigned to hell, were never supposed to be redeemable by any price. There is, on record, only one instance of a damned soul that was saved, and that by the special intercession of the Virgin. See *Pascal's Provincial Letters*. An indulgence saved the person who purchased it, from purgatory only.

## NOTE [Q] p. 311.

It is said, that when Henry heard that the commons made a great difficulty of granting the required supply, he was so provoked, that he sent for Edward Montague, one of the members, who had a considerable influence on the house; and he being introduced to his majesty, had the mortification to hear him speak in these words: *Ho! man! will they not suffer my bill to pass?* And laying his hand on Montague's head, who was then on his knees before him, *Get my bill passed by to-morrow, or else to-morrow this head of yours shall be off.* This cavalier manner of Henry succeeded; for next day the bill passed. *Colin's British Peerage. Grove's Life of Wolsey.* We are told by *Hall*, fol. 38, that cardinal Wolsey endeavoured to terrify the citizens of London into the general loan, exacted in 1525, and told them plainly, that *it were better that some should suffer indigence, than that the king, at this time, should lack; and, therefore, beware, and resist not, nor ruffle not in this case, for it may fortune to cost some people their heads.* Such was the style employed by this king and his ministers.

## NOTE [R] p. 340.

THE first article of the charge against the cardinal, is his procuring the legatine power, which, however, as it was certainly done with the king's consent and permission, could be nowise criminal. Many of the other articles also, regard the mere exercise of that power. Some articles impute to him, as crimes, particular actions, which were natural or unavoidable to any man, that was prime minister, with so unlimited an authority; such as receiving first all letters from the king's ministers abroad, receiving first all visits from foreign ministers, desiring that all applications should be made through him. He was also accused of naming himself with the king, as if he had been his fellow, *the king and I*. It is reported, that sometimes he even put his own name before the king's, *ego et rex meus*. But this mode of expression is justified by the Latin idiom. It is remarkable, that his whispering in the king's ear, knowing himself to be affected with venereal distempers, is an article against him. Many of the charges are general, and incapable of proof. Lord Herbert goes so far as to affirm, that no man ever fell from so high a station, who had so few real crimes objected to him. This opinion is, perhaps, a little too favourable to the cardinal. Yet the refutation of the articles by Cromwell, and their being rejected by a house of commons, even in this arbitrary reign, is almost a demonstration of Wolsey's innocence. Henry was, no doubt, entirely bent on his destruction, when, on his failure by a parliamentary impeachment, he attacked him upon the statute of provisors.



which afforded him so little just hold on that minister. For, that this indictment was subsequent to the attack in parliament, appears by Cavendish's *Life of Wolsey*, and Stowe, p. 551; and, more certainly, by the very articles of impeachment themselves. *Parliamentary History*, vol. iii. p. 42, article 7. *Coke's Inst.* pt. 4, fol. 89.

## NOTE [S] p. 345.

EVEN judging of this question by the scripture, to which the appeal was every moment made, the arguments for the king's cause appear but lame and imperfect. Marriage, in the degree of affinity which had place between Henry and Catharine, is, indeed, prohibited in *Leviticus*; but it is natural to interpret that prohibition as a part of the Jewish ceremonial, or municipal law: and, though it is there said in the conclusion, that the Gentile nations, by violating those degrees of consanguinity, had incurred the divine displeasure, the extension of this maxim to every precise case, before specified, is supposing the scriptures to be composed with a minute accuracy and precision, to which we know, with certainty, the sacred penmen did not think proper to confine themselves. The descent of mankind from one common father, obliged them, in the first generation, to marry in the nearest degrees of consanguinity: instances of a like nature occur among the patriarchs; and, the marriage of a brother's widow was, in certain cases, not only permitted, but even enjoined, as a positive precept, by the Mosaical law. It is in vain to say that this precept was an exception to the rule; and an exception confined merely to the Jewish nation. The inference is still just, that such a marriage can contain no natural or moral turpitude; otherwise God, who is the author of all purity, would never, in any case, have enjoined it.

## NOTE [T] p. 351.

BISHOP BURNET has given us an account of the number of bulls requisite for Cranmer's installation. By one bull, directed to the king, he is, upon the royal nomination, made archbishop of Canterbury. By a second, directed to himself, he is also made archbishop. By a third, he is absolved from all censures. A fourth, is directed to the suffragans, requiring them to receive and acknowledge him as archbishop. A fifth, to the dean and chapter, to the same purpose. A sixth, to the clergy of Canterbury. A seventh, to all the laity in his see. An eighth, to all that held lands of it. By a ninth, he was ordered to be consecrated, taking the oath that was in the pontifical. By a tenth, the pall was sent him. By an eleventh, the archbishop of York, and the bishop of London, were required to put it on him. These were so many devices to draw fees to offices, which the popes had erected and disposed of for money. It may be worth observing, that Cranmer, before he took the oath to the pope, made a protestation that he did not intend thereby to restrain himself from any thing that he was bound to, either by his duty to God, the king, or the country, and that he renounced every thing in it, that was contrary to any of these. This was the invention of some casuist, and not very compatible with that strict sincerity, and that scrupulous conscience, of which Cranmer made profession. *Collier*, vol. ii. in coll. No. 22. *Burnet*, vol. i. p. 128, 129.

## NOTE [U] p. 360.

HERE are the terms, in which the king's minister expressed himself to the pope. An non, inquam, sanctitas vestra plerosque habet quibuscum arcanum aliquid crederit, putet id non minus celatum esse quam si uno tantum pectore contineretur; quod multo magis serenissimo Angliæ Regi evenire debet, cui singuli in suo regno sunt subjecti, neque etiam velint, possunt Regi non esse fidelissimi. Væ namque illis, si vel parvo momento ab illius voluntate recederent. *Le Grand*, tom. iii. p. 113. The king once said publicly before the council, that if any one spoke of him or his actions, in terms which became them not, he would let them know that he was master. Et qu'il n'y auroit si belle tête qu'il ne fit voler. *Id.* p. 218.

## NOTE [V] p. 379.

THIS letter contains so much nature, and even elegance, as to deserve to be transmitted to posterity, without any alteration in the expression. It is as follows:

"Sir, your grace's displeasure, and my imprisonment, are things so strange unto me, as what to write, or what to excuse, I am altogether ignorant. Whereas you send unto me (willing me to confess a truth, and so obtain your favour) by such an one, whom you know to be mine ancient, professed enemy, I no sooner received this message by him, than I rightly conceived your meaning; and if, as you say, confessing a truth, indeed, may procure my safety, I shall, with all willingness and duty, perform your command.

"But, let not your grace ever imagine that your poor wife will ever be brought to acknowledge a fault, where not so much as a thought thereof preceded. And, to speak a truth, never prince had wife more loyal in all duty, and in all true affection, than you have ever found in Anne Boleyn: with which name and place I could willingly have contented myself, if God and your grace's pleasure had been so pleased. Neither did I, at any time, so far forget myself in my exaltation, or received queenship, but that I always looked for such an alteration as I now find: for the ground of my preferment being on no surer foundation than your grace's fancy, the least alteration, I knew, was fit and sufficient to draw that fancy to some other object. You have chosen me, from a low estate, to be your queen and companion, far beyond my desert or desire. If, then, you found me worthy of such honour, good, your grace, let not any light fancy, or bad council of mine enemies, withdraw your princely favour from me; neither let that stain, that unworthy stain, of a disloyal heart, towards your good grace, ever cast so foul a blot on your most dutiful wife, and the infant princess, your daughter. Try me, good king, but let me have a lawful trial, and let not my sworn enemies sit as my accusers and judges: yea, let me receive an open trial, for my truth shall fear no open shame; then shall you see either mine innocence cleared, your suspicion and conscience satisfied, the ignominy and slander of the world stopped, or my guilt openly declared. So that, whatsoever God or you may determine of me, your grace may be freed from an open censure; and mine offence being so lawfully proved, your grace is at liberty, both before God and man, not only to execute worthy punishment on me, as an unlawful wife, but to follow your affection, already settled on that party, for whose sake I am now as I am, whose name I could, some good while since, have pointed unto, your grace not being ignorant of my suspicion therein.

"But, if you have already determined of me, and that not only my death, but an infamous slander, must bring you the enjoying of your desired happiness, then I desire of God that he will pardon your great sin therein, and likewise mine enemies, the instruments thereof; and that he will not call you to a strict account for your unprincely and cruel usage of me, at his general judgment-seat, where both you and myself must shortly appear; and, in whose judgment, I doubt not, (whatsoever the world may think of me) mine innocence shall be openly known, and sufficiently cleared.

"My last and only request shall be, that myself may only bear the burden of your grace's displeasure, and that it may not touch the innocent souls of those poor gentlemen, who (as I understand) are likewise in strait imprisonment for my sake. If ever I have found favour in your sight; if ever the name of Anne Boleyn hath been pleasing in your ears, then let me obtain this request; and I will so leave to trouble your grace any farther, with mine earnest prayers to the Trinity, to have your grace in his good keeping, and to direct you in all your actions. From my doleful prison in the Tower, this sixth of May. Your most loyal, and ever faithful wife,

"ANNE BOLEYN."

## NOTE [W] p. 386.

A PROPOSAL had formerly been made in the convocation, for the abolition of the lesser monasteries; and had been much opposed by bishop Fisher, who was then alive. He told his brethren, that this was fairly showing the king the way, how he

might come at the greater monasteries. "An axe," said he "which wanted a handle, came, upon a time, into the wood, making his moan to the great trees, that he wanted a handle to work withal; and, for that cause, he was constrained to sit idle: therefore he made it his request to them, that they would be pleased to grant him one of their small saplings, within the wood, to make him a handle; who, mistrusting no guile, granted him one of their smaller trees to make him a handle. But now, becoming a complete axe, he fell so to work within the same wood, that, in process of time, there was neither great nor small trees to be found in the place where the wood stood. And so, my lords, if you grant the king these smaller monasteries, you do but make him a handle, whereby, at his own pleasure, he may cut down all the cedars within your Lebanons." Dr. Baillie's *Life of Bishop Fisher*, p. 108.

## NOTE [X] p. 395.

THERE is a curious passage, with regard to the suppression of monasteries, to be found in Coke's *Institutes*, 4th Inst. chap. i. p. 44. It is worth transcribing, as it shows the ideas of the English government, entertained during the reign of Henry VIII. and even in the time of Sir Edward Coke, when he wrote his *Institutes*. It clearly appears, that the people had then little notion of being jealous of their liberties, were desirous of making the crown quite independent, and wished only to remove from themselves, as much as possible, the burdens of government. A large standing army, and a fixed revenue, would, on these conditions, have been regarded as great blessings; and it was owing entirely to the prodigality of Henry, and to his little suspicion, that the power of the crown could ever fail, that the English owe all their present liberty. The title of the chapter in Coke, is, *Advice concerning new and plausible Projects and Offers in Parliament*. "When any plausible project," says he, "is made in parliament, to draw the lords and commons to assent to any act, (especially in matters of weight and importance,) if both houses do give, upon the matter projected and promised, their consent, it shall be most necessary, they being trusted for the commonwealth, to have the matter projected and promised (which moved the houses to consent) to be established in the same act, lest the benefit of the act be taken, and the matter projected and promised, never performed, and so the houses of parliament perform not the trust reposed in them, as it fell out (taking one example for many, in the reign of Henry the Eighth:) on the king's behalf, the members of both houses were informed in parliament, that no king or kingdom was safe, but where the king had three abilities: 1. To live of his own, and able to defend his kingdom, upon any sudden invasion or insurrection. 2. To aid his confederates, otherwise they would never assist him. 3. To reward his well deserving servants. Now, the project was, that if the parliament would give unto him all the abbeyes, priories, friaries, nunneries, and other monasteries, that for ever, in time then to come, he would take order that the same should not be converted to private uses; but first, that his exchequer, for the purposes aforesaid, should be enriched: secondly, the kingdom strengthened, by a continual maintenance of forty thousand well trained soldiers, with skilful captains and commanders; thirdly, for the benefit and ease of the subject, who never afterwards, (as was projected) in any time to come, should be charged with subsidies, fifteenths, loans, or other common aids; fourthly, lest the honour of the realm should receive any diminution of honour, by the dissolution of the said monasteries, there being twenty-nine lords of parliament of the abbots and priors (that held of the king *per baroniam*, whereof more in the next leaf) that the king would create a number of nobles, which we omit. The said monasteries were given to the king, by authority of divers acts of parliament, but no provision was therein made for the said project, or any part thereof."

## NOTE [Y] p. 401.

COLLIER, in his *Ecclesiastical History*, vol. ii. p. 152, has preserved an account, which Cromwell gave of this conference, in a letter to Sir Thomas Wyatt, the king's ambassador, in Germany. "The king's majesty," says Cromwell, "for the reve-

rence of the holy sacrament of the altar, did sit openly in his hall, and there presided at the disputation, process, and judgment, of a miserable heretic sacramentary, who was burned on the 20th of November. It was a wonder to see how princely, with how excellent gravity, and inestimable majesty, his highness exercised there the very office of supreme head of the church of England. How benignly his grace essayed to convert the miserable man: how strong and manifest reasons his highness alleged against him. I wish the princes and potentates of Christendom to have had a meet place to have seen it. Undoubtedly, they should have much marvelled at his majesty's most high wisdom and judgment, and reputed him no otherwise after the same, than, in a manner, the mirror and light of all other kings and princes in Christendom." It was by such flatteries, that Henry was engaged to make his sentiments the standard to all mankind; and was determined to enforce, by the severest penalties, his *strong* and *manifest* reasons for transubstantiation.

## NOTE [Z] p. 403.

THERE is a story, that the duke of Norfolk, meeting, soon after this act was passed, one of his chaplains, who was suspected of favouring the reformation, said to him, "Now, Sir, what think you of the law to hinder priests from having wives?" "Yes, my lord," replies the chaplain, "you have done that; but I will answer for it, you cannot hinder men's wives from having priests."

## NOTE [A2] p. 412.

To show how much Henry sported with law and common sense; how servilely the parliament followed all his caprices; and how much both of them were lost to all sense of shame: an act was passed this session, declaring that a precontract should be no ground for annulling a marriage; as if that pretext had not been made use of, both in the case of Anne Boleyn, and Anne, of Cleves. But the king's intention, in this law, is said to be a design of restoring the princess Elizabeth to her right of legitimacy; and it was his character, never to look farther than the present object, without regarding the inconsistency of his conduct. The parliament made it high treason to deny the dissolution of Henry's marriage with Anne, of Cleves. Herbert.

## NOTE [B2] p. 420.

It was enacted by this parliament, that there should be trial of treason in any county, where the king should appoint, by commission. The statutes of treason had been extremely multiplied in this reign; and such an expedient saved trouble and charges, in trying that crime. The parliament erected Ireland into a kingdom; and Henry henceforth annexed the title of king of Ireland to his other titles. This session, the commons first began the practice of freeing any of their members, who were arrested, by a writ issued by the speaker. Formerly, it was usual for them to apply for a writ from chancery to that purpose. This precedent increased the authority of the commons, and had afterwards important consequences. Holingshed, p. 955, 956. Baker, p. 289.

## NOTE [C2] p. 426.

THE persecutions exercised, during James's reign, are not to be ascribed to his bigotry, a vice of which he seems to have been as free as Francis the First, or the emperor Charles, both of whom, as well as James, showed, in different periods of their lives, even an inclination to the new doctrines. The extremities to which all these princes were carried, proceeded entirely from the situation of affairs during that age, which rendered it impossible for them to act with greater temper or moderation, after they had embraced the resolution of supporting the ancient establishments. So violent was the propensity of the times towards innovation, that a bare toleration of the new preachers, was equivalent to a formed design of changing the national religion.



## NOTE [D2] p. 467.

SPOTSWOOD, p. 75. The same author, p. 92, tells us a story, which confirms this character of the popish clergy in Scotland. It became a great dispute in the university of St. Andrews, whether the *pater* should be said to God or the saints. The friars, who knew, in general, that the reformers neglected the saints, were determined to maintain their honour with great obstinacy, but they knew not upon what topics to found their doctrine. Some held, that the *pater* was said to God *formaliter*, and to saints *materialiter*; others to God *principaliter*, and to saints *minus principaliter*; others would have it *ultimate* and *non ultimate*: but the majority seemed to hold, that the *pater* was said to God *capiendo stricte*, and to saints *capiendo large*. A simple fellow, who served the sub-prior, thinking there was some great matter in hand, that made the doctors hold so many conferences together, asked him, one day, what the matter was? The sub-prior answering, *Tom*, (that was the fellow's name,) *we cannot agree to whom the pater noster should be said*. He suddenly replied, *to whom, Sir, should it be said, but unto God?* Then, said the sub-prior, *what shall we do with the saints?* He answered, *give them aves and creeds enow, in the devil's name! for that may suffice them*. The answer going abroad, many said, *that he had given a wiser decision than all the doctors had done, with all their distinctions*.

## NOTE [E2] p. 483.

ANOTHER act, passed this session, takes notice, in the preamble, that the city of York, formerly well inhabited, was now much decayed; insomuch that many of the cures could not afford a competent maintenance to the incumbents. To remedy this inconvenience, the magistrates were empowered to unite as many parishes as they thought proper. An ecclesiastical historian, Collier, vol. ii. p. 230, thinks that this decay of York is chiefly to be ascribed to the dissolution of monasteries, by which the revenues fell into the hands of persons who lived at a distance.

A very grievous tax was imposed, this session, upon the whole stock and monied interest of the kingdom, and even upon its industry. It was a shilling in the pound, yearly, during three years, on every person worth ten pounds, or upwards: the double on aliens and denizens. These last, if above twelve years of age, and if worth less than twenty shillings, were to pay eight pence yearly. Every wether was to pay two pence yearly; every ewe, three pence. The woollen manufactures were to pay eight pence a pound on the value of all the cloth they made. These exorbitant taxes on money, are a proof that few people lived on money lent at interest: for this tax amounts to half of the yearly income of all money-holders, during three years, estimating their interest at the rate allowed by law: and was too grievous to be borne, if many persons had been affected by it. It is remarkable, that no tax at all was laid upon land this session. The profits of merchandise were commonly so high, that it was supposed it could bear this imposition. The most absurd part of the laws, seems to be the tax upon the woollen manufactures. See 2 and 3 Edw. VI. cap. 36. The subsequent parliament repealed the tax on sheep and woollen cloth. 3 and 4 Edw. VI. cap. 23. But they continued the other tax a year longer. Ibid.

The clergy taxed themselves at six shillings in the pound, to be paid in three years. This taxation was ratified in parliament, which had been the common practice since the reformation, implying that the clergy have no legislative power, even over themselves. See 2 and 3 Edw. VI. cap. 35.

## NOTE [F2] p. 533.

THE pope at first gave cardinal Pole powers to transact only with regard to the past fruits of the church lands; but, being admonished of the danger attending any attempt towards a resumption of the lands, he enlarged the cardinal's powers, and granted him authority to ensure the future possession of the church lands to the present proprietors. There was only one clause in the cardinal's powers, that has given occasion for some speculation. An exception was made of such cases as Pole should think important enough to merit the being communicated to the holy see.

But Pole simply ratified the possession of all the church lands; and his commission had given him full powers to that purpose. See *Harleyan Miscellany*, vol. vii. p. 264, 266. It is true, some councils have declared, that it exceeds even the power of the pope to alienate any church lands; and the pope, according to his convenience or power, may either adhere to, or recede from this declaration. But every year gave solidity to the right of the proprietors of church lands, and diminished the authority of the popes; so that men's dread of popery in subsequent times, was more founded on party or religious zeal, than on very solid reasons.

## NOTE [G2] p. 562.

*The passage of Holingshed, in the discourse prefixed to his history, and which some ascribe to Harrison, is as follows. Speaking of the increase of luxury: Neither do I speak this in reproach of any man, God is my judge; but, to show that I do rejoice rather to see how God has blessed us with his good gifts, and to behold how that, in a time wherein all things are grown to most excessive prices, we do yet find the means to attain and achieve such furniture, as heretofore has been impossible: there are old men yet dwelling in the village where I remain, which have noted three things to be marvellously altered in England within their sound remembrance. One is, the multitude of chimneys lately erected; whereas, in their young days, there were not above two or three, if so many, in most uplandish towns of the realm, (the religious houses and manor places of their lords always excepted, and, peradventure, some great personage;) but each made his fire against a reredosse, in the hall, where he dined and dressed his meat. The second is the great amendment of lodging; for, said they, our fathers, and we ourselves, have lain full oft upon straw pallettes, covered only with a sheet under coverlets, made of dagswaine or hopharlots, (I use their own terms,) and a good round log under their head, instead of a bolster. If it were so, that the father or the good-man of the house, had a matrass or flock-bed, and thereto a sack of chaff to rest his head upon, he thought himself to be as well lodged as the lord of the town: so well were they contented. Pillows, they said, were thought meet only for women in child-bed: as for servants, if they had any sheet above them, it was well: for seldom had they any under their bodies, to keep them from the pricking straws, that ran oft through the canvass, and rased their hardened hides. The third thing they tell of, is, the exchange of treene platters (so called, I suppose, from tree or wood,) into pewter, and wooden spoons into silver or tin. For so common were all sorts of treene vessels in old time, that a man should hardly find four pieces of pewter (of which one was, peradventure, a salt) in a good farmer's house. *Description of Britain*, chap. 10. Again, in chap. 16. In times past, men were contented to dwell in houses builded of sawlow, willow, &c. so that the use of the oak was, in a manner, dedicated wholly unto churches, religious houses, princes' palaces, navigation, &c., but now sawlow, &c. are rejected, and nothing but oak, any where, regarded: and yet see the change; for, when our houses were builded of willow, then had we oaken men; but, now that our houses are come to be made of oak, our men are not only become willow, but a great many altogether of straw, which is a sore alteration. In these, the courage of the owner was a sufficient defence to keep the house in safety; but, now the assurance of the timber must defend the men from robbing. Now have we many chimneys: and yet our tender lines complain of rheums, catarrhs, and poses; then had we none but reredosses, and our heads did never ache. For, as the smoke, in those days, was supposed to be a sufficient hardening for the timber of the house, so it was reputed a far better medicine to keep the good-man and his family from the quack or pose, wherewith, as then, very few were acquainted. Again, in chap. 18. Our pewterers, in time past, employed the use of pewter only upon dishes and pots, and a few other trifles for service; whereas, now they are grown into such exquisite cunning, that they can, in manner, imitate by infusion, any form or fashion of cup, dish, salt, or bowl, or goblet, which is made by goldsmith's craft, though they be never so curious, and very artificially forged. In some places beyond the sea, a garnish of good flat English pewter, (I say flat, because dishes and platters, in my time, began to be made deep, and like basins, and are, indeed, more convenient, both for sauce, and keeping the meat warm,) is almost esteemed so precious, as the like number of ves-*

sels that are made of fine silver. *If the reader is curious to know the hours of meals in queen Elizabeth's reign, he may learn it from the same author.* With us, the nobility, gentry, and students, do ordinarily go to dinner at eleven, before noon, and to supper at five, or between five and six, at afternoon. The merchants dine and sup seldom before twelve at noon, and six at night, especially in London. The husbandmen dine also at high noon, as they call it, and sup at seven or eight: but out of term, in our universities, the scholars dine at ten.

Froissard mentions waiting on the duke of Lancaster at five o'clock in the afternoon, when he had supped. These hours are still more early. It is hard to tell why, all over the world, as the age becomes more luxurious, the hours become later. Is it the crowd of amusements that push on the hours gradually? or are the people of fashion better pleased with the secrecy and silence of nocturnal hours, when the industrious vulgar are gone to rest? In rude ages, men have few amusements or occupations, but what day-light affords them.

## NOTE [H2] p. 570.

THE parliament also granted the queen the duties of tonnage and poundage; but this concession was at that time regarded only as a matter of form, and she had levied these duties before they were voted by parliament. But there was another exertion of power, which she practised, and which people, in the present age, from their ignorance of ancient practices, may be apt to think a little extraordinary. Her sister, after the commencement of the war with France, had, from her own authority, imposed four marks on each ton of wine imported, and had increased the poundage a third on all commodities. Queen Elizabeth continued these impositions as long as she thought convenient. The parliament, who had so good an opportunity of restraining these arbitrary taxes, when they voted the tonnage and poundage, thought not proper to make any mention of them. They knew that the sovereign, during that age, pretended to have the sole regulation of foreign trade, and that their intermeddling with that prerogative, would have drawn on them the severest reproof, if not chastisement. See Forbes, vol. i. p. 132, 133. We know certainly, from the statutes and journals, that no such impositions were granted by parliament.

## NOTE [I2] p. 578.

Knox, p. 127. We shall suggest afterwards some reasons to suspect that, perhaps, no express promise was ever given. Calumnies easily arise during times of faction, especially those of the religious kind, when men think every art lawful for promoting their purpose. The congregation, in their manifesto, in which they enumerate all the articles of the regent's maladministration, do not reproach her with this breach of promise. It was probably nothing but a rumour spread abroad to catch the populace. If the papists have sometimes maintained, that no faith was to be kept with heretics, their adversaries seem also to have thought, that no truth ought to be told of idolaters.

## NOTE [K2] p. 581.

Spotswood, p. 146. Melvil, p. 29. Knox, p. 225, 228. Lesley, lib. 10. That there was really no violation of the capitulation of Perth, appears from the manifesto of the congregation, in Knox, p. 184, in which it is not so much as pretended. The companies of Scotch soldiers were probably in Scotch pay, since the congregation complains, that the country was oppressed with taxes to maintain armies. Knox, p. 164, 165. And even if they had been in French pay, it had been no breach of the capitulation, since they were national troops, not French. Knox does not say, p. 139, that any of the inhabitants of Perth were tried or punished for their past offences, but only that they were oppressed with the quartering of soldiers: and the congregation, in their manifesto, say only that many of them had fled for fear. This plain detection of the calumny, with regard to the breach of the capitulation of Perth, may make us suspect a like calumny, with regard to the pretended promise, not to give sentence against the ministers. The affair lay altogether between the regent

and the laird of Dun; and that gentleman, though a man of sense and character, might be willing to take some general professions for promises. If the queen, overawed by the power of the congregation, gave such a promise, in order to have liberty to proceed to a sentence, how could she expect to have power to execute a sentence so insidiously obtained? And to what purpose could it serve?

NOTE [L2] p. 582.

Knox, p. 153, 154, 155. This author pretends that this article was agreed to verbally, but that the queen's scribes omitted it in the treaty which was signed. The story is very unlikely, or rather very absurd; and, in the mean time, it is allowed that the article is not in the treaty; nor do the congregation, in their subsequent manifesto, insist upon it. Knox, p. 184. Besides, would the queen regent, in an article of a treaty, call her own religion idolatry?

NOTE [M2] p. 583.

THE Scotch lords, in their declaration, say, "How far we have sought support of England, or of any other prince, and what just cause we had and have so to do, we shall shortly make manifest unto the world, to the praise of God's holy name, and to the confusion of all those who slander us for so doing: for this we fear not to confess, that as, in this enterprise against the devil, against idolatry, and the maintainers of the same, we chiefly and only seek God's glory to be notified unto men, sin to be punished, and virtue to be maintained; so, where power faileth of ourselves, we will seek it wheresoever God shall offer the same." Knox, p. 176.

END OF THE SECOND VOLUME.



















